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HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND NATURAL RESOURCES

Chair: Raymond Bonin, Lib.

Meeting No. 1

Monday, November 4, 2002

ORDER OF THE DAY:

Election of a Chair and Vice-Chairs





MINUTES OF PROCEEDINGS

Meeting No. 1

Monday, November 4, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:33 p.m. this day, in Room 253-D, Centre Block, for the purpose of electing a Chair and Vice-Chair pursuant to Standing Orders 106(1) and 106 (2).

Member(s) of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, John Finlay, John Godfrey, Nancy Karetak-Lindell, Pat Martin, Anita Neville, Brian Pallister, Brent St. Denis, Maurice Vellacott.

Acting Member(s) present: Gerald Keddy for Inky Mark, Tony Tirabassi for John Efford, Karen Redman for Benoit Serré, Richard Marceau for Serge Cardin, Mario Laframboise for Yvan Loubier.

In attendance: From the Committees Directorate: Bill Farrell, Committee Clerk.

Pursuant to Standing Order 106(1) and (2), election of a Chair and Vice-Chairs.

By unanimous consent, the Committee proceeded to the election of the Chair by secret ballot.

Maurice Vellacott moved – That Raymond Bonin be elected Chair of the Committee.

The ballots having been counted, the Clerk duly declared Raymond Bonin Chair and invited him to take the Chair.

John Finlay moved – That Maurice Vellacott be elected Vice-Chair of the Committee.

The question being put on the motion, it was agreed to.

Gerard Keddy moved – That John Godfrey be elected Vice-Chair of the Committee.

By unanimous consent, the motion was withdrawn.

Richard Marceau moved – That Pat Martin be elected Vice-Chair of the Committee.

The question being put on the motion, it was negatived by a show of hands.

Yeas: 4

Nays: 11

On motion of Karen Redman, it was agreed - That Nancy Karetak-Lindell be elected Vice-Chair of the Committee.

On motion of John Godfrey, it was agreed - That the Chair, the two Vice-Chairs, the Parliamentary Secretary and a representative of each of the Bloc Québécois, the New Democratic Party and the Progressive Conservative Party do compose the Sub-Committee on Agenda and Procedure.

On motion of Gérard Binet, it was agreed - That the Committee retain the services of one or more Research Officers from the Library of Parliament, as needed, to assist the Committee in its work, at the discretion of the Chair.

Karen Redman moved - That the Chair be authorized to hold meetings to receive evidence when a quorum is not present provided that at least three (3) members are present including one (1) member of the opposition.

Following debate, it was agreed - That the motion be allowed to stand.

Brent St. Denis moved - That a transcript of *in camera* meetings be kept in the office of the Clerk of the Committee for the purpose of consultation by Members of the committee, and be destroyed at the end of each session of Parliament.

Following debate, it was agreed - That the motion be allowed to stand.

On motion of John Godfrey, it was agreed - That, as established by the Board of Internal Economy and if requested, reasonable travelling, accommodation, and living expenses be reimbursed to witnesses who are invited to appear before the Committee up to a maximum of 2 representatives for any organization, but that the Chair be authorized to approve expenses for a third person should there be exceptional circumstances.

On motion of Karen Redman, it was agreed - That the Committee authorize the Chair, from time to time, as the need arises, to take, in conjunction with the Clerk of the Committee the appropriate measures to provide lunches for the Committee and its Sub-committees, for working purposes, and that the cost of these lunches be charged to the budget of the Committee.

John Godfrey moved - That unless there is unanimous consent of the Members of the Committee, forty-eight (48) hours notice must be given to members of the Committee before any new item of business is considered by the Committee and, that the motion be filed with the Clerk of the committee and circulated to all members in both official language. Upon receipt of the notice, the Clerk will put the motion on the agenda of the Committee's next meeting.

Pat Martin moved - That the motion be amended by deleting the words forty-eight (48) and by substituting the following therefore: twenty-four (24).

The question being put on the amendment, it was negatived by a show of hands:

Yeas: 3

Nays: 12

Following debate, it was agreed - That the motion be allowed to stand.

On motion of John Finlay, it was agreed - That the Clerk of the Committee be authorized to receive and distribute documents to Members of the Committee only when they are available in both official languages.

On motion of Pat Martin, it was agreed - That the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources be authorized to travel from place to place within Canada during its consideration of the First Nations Governance Act, and that the necessary staff accompany the Committee.

At 4:51 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk(s) of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 2

Thursday, November 7, 2002

IN CAMERA



MINUTES OF PROCEEDINGS

Meeting No. 2

Thursday, November 7, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met *in camera* at 11:19 a.m. this day, in Room 269, West Block, the Chair, Raymond Bonin, presiding.

Member(s) of the Committee present: Gérard Binet, Raymond Bonin, Serge Cardin, David Chatters, John Finlay, John Godfrey, Nancy Karetak-Lindell, Yvan Loubier, Brent St. Denis, Maurice Vellacott.

Acting Member(s) present: Joe Comartin for Pat Martin.

In attendance: From the Library of Parliament: Jean-Luc Bourdages and Mary Hurley, analysts.

It was agreed – That all members of the Committee be entitled to have one staff member in attendance at all *in camera* meetings of the Committee.

It was agreed – That unless there is unanimous consent of the Members of the Committee, forty-eight (48) hours notice must be given to members of the Committee before any new item of business is considered by the Committee and, that the motion be filed with the Clerk of the Committee and circulated to all members in both official languages. Upon receipt of the notice, the clerk will put the motion on the agenda of the Committee's next meeting.

It was agreed – That an organization be given up to ten (10) minutes for their opening statement; and that, at the discretion of the Chair, during the questioning of witnesses, there be allocated nine (9) minutes for the questioner of the official opposition, seven (7) minutes for the questioner of the other opposition parties, and that thereafter three (3) minutes be allocated to each subsequent questioner (alternating between Government and Opposition parties).

It was agreed – That a transcript of *in camera* meetings be kept in the office of the Clerk of the Committee for the purposes of consultation by Members of the Committee, and be destroyed at the end of each session of Parliament.

At 12:03 p.m., the Committee proceeded to the consideration of its future business.

It was agreed – That the Standing Committee adopt the following schedule in its study of Bill C-4, An Act to amend the Nuclear Safety and Control Act:

November 19, 2002 – 11:00 a.m. to 1:00 p.m.

11:00 a.m. to 11:30 a.m.: The Department of Natural Resources.

11:30 a.m. to 1:00 p.m.: Panel of three (3) witness groups in favour of the legislation, namely: Bruce Power, Canadian Bankers Association, Canadian Nuclear Safety Commission, or as an alternate: Canadian Nuclear Association.

November 21, 2002 – 11:00 a.m. to 1:00 p.m.

11:00 a.m. to 12:30 p.m.: Panel of three (3) witness groups opposed to the legislation, namely: Greenpeace, Campaign for Nuclear Phase-Out, Seaborn Commission member.

12:30 p.m. to 1:00 p.m.: Clause by clause consideration of the Bill.

It was agreed – That in respect to its study of Bill C-6, The Specific Claims Resolution Act, the Standing Committee initially hold two (2) hearings on November 26 and November 28, 2002, inviting the following witnesses:

November 26, 2002: The Department of Indian Affairs and Northern Development (1 hour) and the Indian Claims Commission. (1 hour)

November 28, 2002: Groups based in Ottawa.

At 12:55 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 3

Tuesday, November 19, 2002

ORDER OF THE DAY:

Study of Bill C-4, An Act to amend the Nuclear Safety and Control Act

WITNESSES:

Canadian Nuclear Association:

Al Shpyth, Director, Office of Regulatory and Environmental Affairs.

Canadian Nuclear Safety Commission:

Bernie Shaffer, Legal Counsel;

Mike Taylor, Executive Director.

Natural Resources Canada:

Joanne Kellerman, Acting General Counsel and Manager, Legal Services;

David McLellan, Acting Director General, Energy Resources Branch.



MINUTES OF PROCEEDINGS

Meeting No. 3

Tuesday, November 19, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 11:04 a.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Member(s) of the Committee present: Raymond Bonin, Serge Cardin, David Chatters, R. John Efford, Pat Martin, John Finlay, John Godfrey, Nancy Karetak-Lindell, Yvan Loubier, Inky Mark, Anita Neville, Benoît Serré.

Acting Member(s) present: David Pratt for Gérard Binet, John O'Reilly for Brent St. Denis, Joe Comartin for Pat Martin.

In attendance: From the Library of Parliament: Jean-Luc Bourdages; Mary Hurley, analyst; Carole Hilling, analyst; *From the Committees Directorate:* Carole Hilling, legislative clerk.

Witness(es): From the Department of Natural Resources: Joanne Kellerman, General Counsel, Legal Services; David McLellan, Acting Director General, Energy Resources Branch. *From the Canadian Nuclear Safety Commission:* Mike Taylor, Executive Director, Office of Regulatory Affairs; Bernie Staffer, Senior Counsel, Department of Justice. *From the Canadian Nuclear Association:* Al Shpyth, Director, Regulatory and Environmental Affairs.

The Order of Reference dated Thursday, October 3, 2002, being now read as follows:

ORDERED, -- That Bill C-4, An Act to amend the Nuclear Safety and Control Act be now read a second time and referred to the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources.

The Chair called Clause 1.

David McLellan made an opening statement and, with the witnesses, answered questions.

Mike Taylor and Al Shpyth each made an opening statement and, with the witness, answered questions.

At 12:30 p.m., the Committee proceeded to sit in an *in camera* session to discuss its future business.

It was negatived – That the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources membership be expanded to include a representative from the Assembly of First Nations for the duration of discussion concerning Bill C-6 and Bill C-7. This representative, identified by the Assembly of First Nations, should be entitled to all the rights and responsibilities of a Committee member with the exception of the right to vote.

It was agreed – That the Supplementary Operational Budget of \$36,000.00 for the fiscal year ending

March 31, 2003 be approved for the Committee's study of Bills C-6 and C-2 by the Standing Committee and that the Chair be instructed to present the budget to the Budget Sub-Committee at the earliest opportunity.

At 1:15 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 4

Thursday, November 21, 2002

ORDER OF THE DAY:

Study of Bill C-4, An Act to amend the Nuclear Safety and Control Act

WITNESSES:

Campaign for Nuclear Phase-out:

Shawn-Patrick Stensil, National Coordinator.

Energy Probe:

Norman Rubin, Nuclear Research.

Sierra Club of Canada:

Elizabeth May, Executive Director.



MINUTES OF PROCEEDINGS

Meeting No. 4

Thursday, November 21, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met *in camera* at 11:04 a.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Serge Cardin, David Chatters, John Finlay, John Godfrey, Yvan Loubier, Anita Neville, Brian Pallister, Benoît Serré, Maurice Vellacott.

Acting Members present: Shawn Murphy for Gérard Binet; David Price for R. John Efford; Yvon Charbonneau for Nancy Karetak-Lindell; Gilbert Normand for Brent St. Denis; Joe Comartin for Pat Martin; Gerald Keddy for Inky Mark.

In attendance: From the Library of Parliament: Jean-Luc Bourdages, analyst.

Witnesses: From the Department of Natural Resources: Joanne Kellerman, General Counsel, Legal Services; David McLellan, Acting Director General, Energy Resources Branch. *From the Campaign for Nuclear Phaseout:* Shawn-Patrick Stensil, National Coordinator. *From the Energy Probe:* Norman Rubin, Director, Nuclear Research. *From the Sierra Club of Canada:* Elizabeth May, Executive Director.

The Committee proceeded to the discussion of its future business.

By unanimous consent, it was agreed – That the Committee sit *in public*.

It was agreed – That the Committee not re-open the discussion pertaining to the timetable on Bill C-4, the Nuclear Safety and Control Act, as adopted by the Committee on Thursday, November 7, 2002 (*see Minutes of Proceedings, Thursday, November 7, 2002, meeting No. 2*)

Joe Comartin moved – That the Committee issue a summons to the appropriate individuals from Bruce Power to testify before this Committee on Bill C-4 (Nuclear Safety and Control Act).

Following debate, Benoît Serré moved – That the question now be put.

The question being put on the motion, it was agreed by a show of hands:

Yeas: 7

Nays: 1

The question being put on the motion of Mr. Comartin, it was negated by a show of hands:

Yeas: 3

Nays: 9

On motion of Gerald Keddy, it was agreed – That the Minister of Natural Resources be requested to appear before the Committee at the earliest opportunity to discuss the Estimates and other issues pertaining to the department.

On motion of John Godfrey, it was agreed – That the following witness list be adopted for the Committee's study of Bill C-2, the Yukon Environmental and Socio-Economic Assessment Act.

Panel One: Governments

DIAND officials

Yukon Government officials

Association of Yukon Communities

Panel Two: First Nations

Council of Yukon First Nations

Individual First Nations covered by the UFA, with and without final agreements

Aboriginal groups with land claim agreements (Inuvialuit, Gwich'in Tribal Council and Tetlit Gwich'in Council)

Panel Three: Industry/Business

Yukon Chamber of Commerce

Yukon Chamber of Mines

Klondike Placer Miners' Association

Panel Four: Environmental Groups

Yukon Conservation Society

Canadian Parks and Wilderness Society

First Nations Environmental Network

Centre for Indigenous Environmental Resources (Merrell-Ann Phare, Executive Director and Legal Counsel)

Pursuant to its Order of Reference of Thursday, October 3, 2002, the Committee resumed consideration of Bill C-4, An Act to amend the Nuclear Safety and Control Act (*See Minutes of Proceedings, Tuesday, November 19, 2002, Meeting No. 3*).

The Committee resumed consideration of Clause 1.

The witnesses each made an opening statement and answered questions.

The Committee proceeded to the Clause-by-Clause consideration of Bill C-4.

Joe Comartin moved – That Clause 1 be amended by striking out the word “may” and by inserting the following: “shall”.

It was agreed – That the debate do now adjourn.

At 1:32 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 5

Tuesday, November 26, 2002

ORDER OF THE DAY:

Study of Bill C-6, An Act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and related amendments to other Acts

APPEARING:

Hon. Robert D. Nault, Minister of Indian Affairs and Northern Development

WITNESSES:

Indian Claims Commission:

Renée Dupuis, Commissioner;

Phil Fontaine, Chief Commissioner;

Kathleen Lickers, Commission Counsel.



MINUTES OF PROCEEDINGS

Meeting No. 5

Tuesday, November 26, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 11:00 a.m. this day, in Room 253-D, Centre Block, the Chair, Raymond Bonin, presiding.

Member(s) of the Committee present: Gérard Binet, Raymond Bonin, John Godfrey, Nancy Karetak-Lindell, Yvan Loubier, Inky Mark, Anita Neville, Brian Pallister, Benoît Serré, Maurice Vellacott.

Acting Member(s) present: Dick Proctor for Pat Martin.

In attendance: From the Library of Parliament: Mary Hurley, analyst.

Appearing: From the House of Commons: The Hon. Robert D. Nault, Minister of Indian Affairs and Northern Development.

Witness(es): From the Department of Indian Affairs and Northern Development: Barry Dewar, Director General; Robert Winogron, Senior Counsel. *From the Indian Claims Commission:* Phil Fontaine, Chief Commissioner; Renée Dupuis, Commissioner; Kathleen Lickers, Commission Counsel.

The Order of Reference dated Wednesday, October 9, 2002, being now read as follows:

ORDERED, -- That Bill C-6, An Act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other Acts be now read a second time and referred to the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources.

The Chair called Clause 1.

The Minister made an opening statement and answered questions.

Phil Fontaine made an opening statement and, with the witnesses, answered questions.

At 12:58 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk(s) of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 6

Tuesday, November 26, 2002

ORDER OF THE DAY:

Study of Bill C-4, An Act to amend the Nuclear Safety and Control Act

WITNESS:

Natural Resources Canada:

Joanne Kellerman, General Counsel.



MINUTES OF PROCEEDINGS

Meeting No. 6

Tuesday, November 26, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:30 p.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Serge Cardin, David Chatters, John Finlay, Nancy Karetak-Lindell and Benoît Serré.

Acting Members present: Gerald Keddy for Inky Mark, Ivan Grose for Brent St-Denis, Raymond Simard for John Godfrey, Joe Comartin for Pat Martin, Raymond Simard for Anita Neville and Clifford Lincoln for John Godfrey.

In attendance: From the Library of Parliament: Jean-Luc Bourdages, Analysts.

Witnesses: From the Department of Natural Resources: Joanne Kellerman, General Counsel, Legal Services; David McLellan, Acting Director General, Energy Resources Branch.

Pursuant to its Order of Reference of Tuesday, October 29, 2002, the Committee resumed consideration of Bill C-4, An Act to amend the Nuclear Safety and Control Act (*See Minutes of Proceedings, Tuesday, November 19, 2002, Meeting No. 3*).

The Committee proceeded to the Clause-by-Clause consideration of the Bill.

On Clause 1,

Joe Comartin moved, -- That Bill C-4, in Clause 1, be amended by replacing line 9 on page 1 with the following:

“Commission shall, in addition to filing a notice”

The question being put on the amendment, it was negatived by a show of hands:

YEAS: 3	NAYS: 6
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Joe Comartin moved, -- That Bill C-4, in Clause 1, be amended by adding after line 14 on page 1 the following:

“(3.1) The owner or occupant of, or any other person who has a right to or interest in, the affected land or place, must be insured for a minimum of 10 billion dollars to cover the costs of decommissioning and decontamination.”

The Chair ruled the proposed motion out of order on the grounds that it was beyond the scope of the Bill.

Following debate, it was agreed by recorded division,-- That the decision of the Chair be sustained.

YEAS: Gerard Binet, John Finlay, Clifford Lincoln, Nancy Karetak-Lindell, Raymond Simard, Benoît Serré, Ivan Grose, David	NAYS: Serge Cardin, Joe Comartin -- (2)
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Chatters, Gerald Keddy -- (9)	
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Clause 1 carried by recorded decision.

The Title carried.

The Bill carried.

ORDERED, -- That the Chair be instructed to report Bill C-4, The Nuclear Safety and Control Act, without amendment, as the First Report of the Committee, to the House of Commons at the earliest opportunity.

At 5:31 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 7

Wednesday, November 27, 2002

ORDER OF THE DAY:

Study of Bill C-6, An Act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other Acts

WITNESSES:

Ackroyd, Piasta, Roth & Day LLP:

Jerome Slavik, Barrister and Solicitor.

Algonquin Nation Secretariat:

Peter Di Gangi, Director;

Carol McBride, Grand Chief.

Alliance of Tribal Nations:

Dan Gottesman, Senior Research and Policy Analyst;

Ken Malloway, Councillor.

Atlantic Policy Congress of First Nation Chiefs Secretariat Inc.:

Peter Barlow, Co-Chair;

Lawrence Paul, Chief and Co-Chair.

Carrier Sekani Tribal Council:

Mavis Erickson, Tribal Chief.

Federation of Saskatchewan Indian Nations:

Greg Ahenakew, First Vice-Chief;

Jayne Benson, Specific Claims Reseacher.

First Nations Summit:

Lydia Hwitsum, Board Member;

Edward John, Grand Chief;

Gary Yabsley, Legal Counsel.

Manitoba Keewatinowi Okimakanak Inc.:

Michael Anderson, Research Director;

Francis Flett, Grand Chief.

Six Nations of the Grand River:

Roberta Jamieson, Chief.

Treaty & Aboriginal Rights Research Centre of Manitoba Inc.:

Ralph Abramson, Director;

Morris Shannacappo, Chief, Rolling River First Nation; Chairman.

Union of British Columbia Indian Chiefs:

Stewart Phillip, Chief, President.



Français

MINUTES OF PROCEEDINGS

Meeting No. 7

Wednesday, November 27, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:30 p.m. this day, in Room 308, West Block, the Chair, Raymond Bonin, presiding.

Member of the Committee present: Gérard Binet, Raymond Bonin, John Finlay, John Godfrey, Nancy Karetak-Lindell, Ricky Mark, Anita Neville, Benoît Serré, Maurice Vellacott.

Acting Member present: Dick Procter for Pat Martin.

Attendance: From the Library of Parliament: Mary Hurley, analyst.

Witnesses: From the Atlantic Policy Congress of First Nation Chiefs: Peter Barlow, Co-chair; Chief Lawrence Paul, Co-Chair. From the Algonquin Nation Secretariat: Carol McBride, Grand Chief; Peter Di Gangi, Director. From the Six Nations of the Grand River: Roberta Jamieson, Chief. From the Manitoba Keewatinow Okimakanak Inc.: Francis Flett, Grand Chief; Michael Anderson, Research Director. From the Treaty & Aboriginal Rights Research Centre of Manitoba Inc.: Chief Morris Shannacappo, Chairman, Rolling River First Nation; Ralph Abramson, Director. From the Federation of Saskatchewan Indian Nations: Greg Ahenakew, First Vice-Chief; Jayme Benson, Technician. From the Skroyd, Piasta, Roth & Day LLP: Jerome N. Slavik, Barrister & Solicitor. From the Union of British Columbia Indian Chiefs: Chief Stewart Phillip, President. From the Carrier Sekani Tribal Council: Chief Mavis A. Erickson, Tribal Chief. From the Alliance of Tribal Nations: Ken Malloway, Councilor; Dr. Dan Gottesman, Senior Research & Policy Analyst; Edna M. Louis, Director. From the First Nations Summit: Chief Edward John, Grand Chief.

Pursuant to its Order of Reference of Wednesday, October 9, 2002, the Committee resumed consideration of Bill C-6, an Act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other Acts (*See Minutes of Proceedings, Tuesday, November 26, 2002, Meeting No. 5*).

Chief Lawrence Paul and Peter Barlow each made an opening statement and answered questions.

Grand Chief Carol McBride made an opening statement and, with the witnesses, answered questions.

Chief Roberta Jamieson made an opening statement and answered questions.

At 5:03 p.m., the sitting was suspended.

At 5:07 p.m., the sitting resumed.

Chief Morris Shannacappo made an opening statement and, with the witnesses, answered questions.

Grand Chief Francis Flett made an opening statement and, with the witnesses, answered questions.

At 6:14 p.m., the sitting was suspended.

At 6:30 p.m., the sitting resumed.

First Vice-Chief Greg Ahenakew made an opening statement and, with the witnesses, answered questions.

At 7:04 p.m., the sitting was suspended.

At 7:11 p.m., the sitting resumed.

Chief Stewart Philip made an opening statement and answered questions.

Jerome Slavik made an opening statement and answered questions.

Ken Malloway made an opening statement and, with the witnesses, answered questions.

Chief Edward John, Lydia Hwitsum and Mavis Erickson each made an opening statement and, with the witnesses, answered questions.

At 9:09 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 8

Thursday, November 28, 2002

ORDER OF THE DAY:

Study of Bill C-6, An Act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other Acts

WITNESSES:

Assembly of First Nations:

Matthew Coon Come, National Chief;

Rolland Pangowish, Director, Treaties and Lands Unit;

Bryan Schwartz, Legal Counsel.



Français

MINUTES OF PROCEEDINGS

Meeting No. 8

Thursday, November 28, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 11:08 a.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, John Finlay, John Godfrey, Nancy Karetak-Lindell, Yvan Loubier, Inky Mark, Anita Neville, Brian Pallister and Maurice Vellacott.

Acting Members present: Murray Calder for R. John Efford, Dick Proctor for Pat Martin, Bill Matthews for Brent St-Denis and Robert Bertrand for Benoît Serré.

In attendance: From the Library of Parliament: Mary Hurley and Carole Hilliling, Analysts.

Witnesses: From the Assembly of First Nations: Matthew Coon Come, National Chief; Bryan Schwartz, Legal Counsel; Rolland Pangowish, Director, Treaties & Lands Unit. *From the Chiefs Committee on Claims of the AFN:* Ken Malloway, Hereditary Chief of the Chilliwack Tribe of the Sto lo Nation. *From the Department of Indian Affairs and Northern Development:* Robert Winogron, Senior Counsel; John Giokas, Policy Advisor; Gilles Binda, Senior Policy Advisor, Nunavut Secretariat, Northern Program.

Pursuant to its Order of Reference of Wednesday, October 9, 2002, the Committee resumed consideration of Bill C-6, An Act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other Acts (*See Minutes of Proceedings, Tuesday, November 26, 2002, Meeting No. 5*).

Matthew Coon Come made an opening statement and, with the other witnesses, answered questions.

At 12:55 p.m., the sitting was suspended.

At 1:00 p.m., the sitting resumed.

It was agreed,-- That the Committee hold a meeting on Tuesday, December 3, 2002 at 3:30 p.m. for the clause-by-clause consideration of Bill C-6, An Act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims.

Anita Neville moved,-- That all amendments for Bill C-6 be received in the Clerk's office no later than 12:00 noon on Monday, December 2, 2002.

Maurice Vellacott moved,-- That the motion be amended by striking out the words 12:00 noon on

Monday, December 2, 2002, and by substituting the following:

“9:00 a.m. on Tuesday, December 3, 2002”

The question being put on the amendment, it was agreed to.

The question being put on the motion, as amended, it was agreed to.

The Committee proceeded to Clause-by-Clause consideration of the Bill.

Pursuant to Standing Order 75(1), consideration of Clause 1 is postponed.

On Clause 2,

John Finlay moved, -- That Bill C-6, in Clause 2, be amended by replacing, in the French version, line 1 on page 2 with the following:

"« partie » Tout revendicateur, Sa Majesté et tou-"

After debate, the question being put on the amendment, it was adopted on division.

After debate, Clause 2, as amended, carried on division.

Clauses 3 and 4 carried on division.

Clause 5 stood.

Clauses 6 and 7 carried on division.

Clause 8 stood.

On Clause 9,

John Finlay moved, -- That Bill C-6, in Clause 9, be amended by replacing, in the English version, lines 45 and 46 on page 4 with the following:

“offices of Chief Executive Officer and Chief Commissioner are held by”

After debate, the question being put on the amendment, it was adopted on division.

After debate, Clause 9, as amended, carried on division.

Clauses 10 to 19 carried on division.

Clause 20 stood.

Clauses 21 and 22 carried on division.

Clause 23 stood.

Clauses 24 and 25 carried on division.

Clause 26 stood.

Clause 27 carried on division.

Clause 28 stood.

Clause 29 carried on division.

Clauses 30 to 35 stood.

Clauses 36 to 40 carried on division.

Clause 41 stood.

Clauses 42 to 44 carried on division.

Clause 45 stood.

Clauses 46 to 52 carried on division.

Clause 53 stood.

Clauses 54 and 55 carried on division.

Clause 56 stood.

Clause 57 carried on division.

On Clause 58,

John Finlay moved, -- That Bill C-6, in Clause 58, be amended by replacing, in the English version, line 10 on page 25 with the following:

“so authorized is, for that purpose,”

After debate, the question being put on the amendment, it was adopted.

After debate, Clause 58, as amended, carried.

Clauses 59, 60 and 61 carried on division.

On Clause 62,

John Finlay moved, -- That Bill C-6, in Clause 62, be amended by replacing, in the English version, line 6 on page 26 with the following:

"ensure the confidentiality of a hearing if the"

After debate, the question being put on the amendment, it was adopted.

After debate, Clause 62, as amended, carried.

Clause 63 carried.

Clauses 64 to 69 carried on division.

On Clause 70,

John Finlay moved, -- That Bill C-6, in Clause 70, be amended by replacing lines 21 and 22 on page 27 with the following:

"decisions. The Tribunal shall cause the reasons and the decisions to be published in the manner that the Tribunal"

After debate, the question being put on the amendment, it was adopted on division.

After debate, Clause 70, as amended, carried on division.

Clause 71 stood.

Clause 72 carried on division.

Clause 73 stood.

Clauses 74 and 75 carried on division.

Clause 76 stood.

Clause 77 stood.

Clauses 78 to 85 carried on division.

At 1:29 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 9

Tuesday, December 3, 2002

ORDER OF THE DAY:

Study of Bill C-2, An Act to establish a process for assessing the environmental and socio-economic effects of certain activities in Yukon

WITNESSES:

Panel I

Association of Yukon Communities:

Glen Everitt, President.

Indian and Northern Affairs Canada:

John Bailey, Negotiator.

Panel II

Council of Yukon First Nations:

Stephen Mills, Chief Negotiator;

Ed Schultz, Grand Chief.

White River First Nation:

Rosemary Blair-Smith, Representative.

VIDEOCONFERENCE

Kaska Nation:

Sam Donnessey, Deputy Chief, Liard First Nation;

Dixon Lutz, Hereditary Chief;

Raymond Morris, Councillor, Liard First Nation;

Lizanne Porter, Councillor, Liard First Nation.

Kwanlin Dun First nation:

Rick O'Brien, Chief;

Mike Smith, Chief Land Claims Negotiator.

Wildlife Management Advisory Council (North Slope):

Lindsay Staples, Chair.



MINUTES OF PROCEEDINGS

Meeting No. 9

Tuesday, December 3, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 11:02 a.m. this day, in Room 253-D, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, John Finlay, John Godfrey, Nancy Karetak-Lindell, Yvan Loubier, Inky Mark, Benoît Serré, Brent St. Denis and Maurice Vellacott.

Acting Member present: Larry Bagnell for John Efford

In attendance: From the Library of Parliament: Jean-Luc Bourdages, Mary Hurley and Tonina Simeone, Analysts.

Witnesses: From the Department of Indian Affairs and Northern Development: David Cox, Legal Counsel; John Bailey, Negotiator, Resource Strategies. *From the Department of Justice:* Deborah Friedman, Counsel, Métis and Non-Status Initiatives, Aboriginal Law and Strategic Initiatives. *From the Association of Yukon Communities:* Glen Everitt, President; Jim Slater, Executive Director. *From the Council of Yukon First Nations:* Ed Schultz, Grand Chief; Stephen Mills, Chief Negotiator. *From Kwanlin Dun First Nation:* Chief Rick O'Brien, Chief; Mike Smith, Chief Land Claims Negotiator. *From the White River First Nation:* Rosemary Blair-Smith, Stanley Jack, Councillor. *From Kaska First Nation:* Dixon Lutz, Hereditary Chief; Sam Donnessey, Deputy Chief; Raymond Morris, Councillor; Lizanne Porter, Councillor. *From the Wildlife Management Advisory Council (North Slope):* Lindsay Staples, Chair, Wildlife Management Advisory Council (North Slope).

The Order of Reference dated Thursday, October 3, 2002, being now read as follows:

ORDERED, -- That Bill C-2, An Act to establish a process for assessing the environmental and socio-economic effects of certain activities in Yukon be now read a second time and referred to the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources.

The Chair called Clause 1.

At 11:02 a.m., the sitting was suspended.

At 11:14 a.m., the sitting resumed.

John Bailey and Glen Everitt each made an opening statement and answered questions.

Rick O'Brien, Rosemary Blair-Smith, Sam Donnessey, Mike Smith, Ed Schultz and Lindsay Staples each made an opening statement and, with the other witnesses, answered questions.

At 1:03 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 10

Tuesday, December 3, 2002

ORDER OF THE DAY:

Study of Bill C-6, An Act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other Acts

WITNESSES:

Indian and Northern Affairs Canada:

Gilles Binda, Senior Policy Advisor, Resource Strategies;

Robert Winogron, Senior Counsel, Specific Claims.



MINUTES OF PROCEEDINGS

Meeting No. 10

Tuesday, December 3, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:33 p.m. this day, in Room 536, Wellington Building, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, John Finlay, John Godfrey, Nancy Karetak-Lindell, Yvan Loubier, Inky Mark, Anita Neville, Brian Pallister, Benoît Serré and Maurice Vellacott.

Acting Members present: Bernard Patry for John Efford, Dominic LeBlanc for Brent St-Denis, Marcel Gagnon for Serge Cardin and Dick Proctor for Pat Martin.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Department of Indian Affairs and Northern Development: Robert Winogron, Senior Counsel; Gilles Binda, Senior Policy Advisor, Nunavut Secretariat, Northern Program.

Pursuant to its Order of Reference of Wednesday, October 9, 2002, the Committee resumed consideration of Bill C-6, An Act to establish the Canadian Centre for the Independent Resolution of First Nations Specific Claims to provide for the filing, negotiation and resolution of specific claims and to make related amendments to other Acts (*See Minutes of Proceedings, Tuesday, November 26, 2002, Meeting No. 5*).

The Committee proceeded to Clause-by-Clause consideration of the Bill.

Pursuant to Standing Order 75(1), consideration of Clause 1 is postponed.

By unanimous consent, it was agreed,-- That all amendments put forth by the Bloc Québécois be withdrawn.

At 4:07 p.m., the sitting was suspended.

At 4:21 p.m., the sitting resumed.

On Clause 5,

Dick Proctor moved, -- That Bill C-6, in Clause 5, be amended by replacing lines 6 and 7 on page 3 with the following:

“nor in Council on the joint recommendation of the Minister and the Assembly of First Nations — and the Commission and the”

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 5, be amended by replacing line 7 on page 3 with the following:

“Minister from a list of candidates approved by both the Minister and the Assembly of First Nations — and the Commission and the”

The question being put on the amendment, it was negatived by a show of hands.

Clause 5 carried on division.

On Clause 8,

John Finlay moved, -- That Bill C-6, in Clause 8, be amended by replacing, in the English version, lines 28 and 29 on page 3 with the following:

8. (1) The Chief Executive Officer shall hold office during good behaviour for a term of not more

After debate, the question being put on the amendment, it was adopted by a show of hands.

By unanimous consent, Maurice Vellacott moved,-- That Bill C-6 in Clause 8, be amended by replacing lines 32 and 33 on page 3 with the following:

“(2) The Governor in Council may, on the recommendation of the Minister and the Assembly of First Nations, re-appoint the Chief Executive Officer on the expiration of any”

The question being put on the amendment, it was negatived.

John Finlay moved, -- That Bill C-6, in Clause 8, be amended by replacing, in the English version, line 31 on page 4 with the following:

"sioner of the Commission."

After debate, the question being put on the amendment, it was adopted by a show of hands.

After debate, Clause 8, as amended, carried.

On Clause 20,

Dick Proctor moved, -- That Bill C-6, in Clause 20, be amended by replacing lines 20 and 21 on page 8 with the following:

“Governor in Council on the joint recommendation of the Minister and the Assembly of First Nations.”

The question being put on the amendment, it was negatived by a show of hands.

Inky Mark moved, -- That Bill C-6, in Clause 20, be amended by replacing line 21 on page 8 with the following:

“of the Minister and the Assembly of First Nations, the Congress of Aboriginal Peoples and the Native Women’s Association of Canada.”

The question being put on the amendment, it was negated by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 20, be amended by replacing line 21 on page 8 with the following:

“of the Minister from a list of candidates approved by both the Minister and the Assembly of First Nations.”

The question being put on the amendment, it was negated by a show of hands.

Dick Proctor moved, -- That Bill C-6, in Clause 20, be amended by replacing line 23 on page 8 with the following:

“joint recommendation of the Minister and the Assembly of First Nations, at any time”

The question being put on the amendment, it was negated by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 20, be amended by replacing line 23 on page 8 with the following:

“recommendation of the Minister and the Assembly of First Nations, at any time”

The question being put on the amendment, it was negated by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 20, be amended by replacing line 34 on page 8 with the following:

“ten years and may be removed for cause by”

By unanimous consent, the motion was withdrawn.

Maurice Vellacott moved, -- That Bill C-6, in Clause 20, be amended by replacing line 35 on page 8 with the following:

“the Governor in Council, on the recommendation of the Minister and the Assembly of First Nations.”

The question being put on the amendment, it was negated by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 20, be amended by replacing line 3 on page 9 with the following:

“more than eight years and may be removed for”

By unanimous consent, the motion was withdrawn.

Maurice Vellacott moved, -- That Bill C-6, in Clause 20, be amended by replacing line 4 on page 9 with the following:

“cause by the Governor in Council, on the recommendation of the Minister and the Assembly of First Nations.”

The question being put on the amendment, it was negated by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 20, be amended by replacing lines 5 and 6 on page 9 with the following:

“(6) The Governor in Council may, on the recommendation of the Minister and the Assembly of First Nations, re-appoint a commissioner on the expiration of any term of”

The question being put on the amendment, it was negated by a show of hands.

Inky Mark moved, -- That Bill C-6, in Clause 20, be amended by replacing line 7 on page 9 with the following:

“office in the same or another capacity on the recommendation of the Minister and the Assembly of First Nations, the Congress of Aboriginal Peoples and the Native Women’s Association of Canada.”

The question being put on the amendment, it was negated by a show of hands.

Cause 20 carried on division.

On Clause 22,

Dick Proctor moved, -- That Bill C-6, in Clause 22, be amended by replacing line 39 on page 9 with the following:

“22. (1) The Chief Commissioner, subject to the direction of the Commission, is respon-”

By unanimous consent, the motion was withdrawn.

Clause 22 carried by a show of hands.

On Clause 23,

Inky Mark moved, -- That Bill C-6, in Clause 23, be amended(a) by replacing, in the English version, line 8 on page 10 with the following:

“specific claims under this Act;”

(b) by replacing, in the English version, line 10 on page 10 with the following:

“validity or compensation; and

(c) by adding after line 10 on page 10 the following:

(d) obtaining, developing and distributing educational materials for public information in respect of specific claims and fostering public understanding of this Act, including an understanding of the role and activities of the Commission and the Tribunal.”

The question being put on the amendment, it was negatived by a show of hands.

Clause 23 carried on division.

On Clause 26,

Dick Proctor moved, -- That Bill C-6, in Clause 26, be amended by replacing line 12 on page 11 with the following:

“other assets and that arises from a unilateral undertaking by the Crown or from an”

The question being put on the amendment, it was negatived by a show of hands.

Dick Proctor moved, -- That Bill C-6, in Clause 26, be amended by replacing line 15 on page 11 with the following:

“(ii) under any legislation or proclamation — pertaining to”

The question being put on the amendment, it was negatived by a show of hands.

Dick Proctor moved, -- That Bill C-6, in Clause 26, be amended by deleting lines 32 to 38 on page 11 and lines 1 to 17 on page 12.

The question being put on the amendment, it was negatived by a show of hands.

Inky Mark moved, -- That Bill C-6, in Clause 26, be amended by deleting lines 33 to 35 on page 11.

The question being put on the amendment, it was negatived by a show of hands.

Clause 26 carried on division.

On Clause 28,

Maurice Vellacott moved, -- That Bill C-6, in Clause 28, be amended by adding after line 38 on page 13 the following:

“(3) All preparatory meetings shall take place within six months of the claim being filed unless the claimant agrees in writing that they may continue beyond this period. After this period has elapsed, if there is no such agreement, proceedings in relation to the claim shall be deemed to be suspended while the claim is under the consideration of the Minister for the purposes of section 30.”

The question being put on the amendment, it was negatived by a show of hands.

Clause 28 carried on division.

On Clause 30,

Dick Proctor moved, -- That Bill C-6 be amended by deleting Clause 30.

The Chair ruled that the proposed motion was out of order on the grounds that a Clause cannot be deleted.

Inky Mark moved, -- That Bill C-6, in Clause 30, be amended by replacing line 10 on page 14 with the following:

“ter will negotiate the claim together with the Minister’s written reasons for the decision.”

The question being put on the amendment, it was negated by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 30, be amended by replacing line 10 on page 14 with the following:

“ter will negotiate the claim. The Minister shall submit the decision to the Commission and the claimant within one year after the completion of the preparatory meetings unless an extension has been granted under subsection (3).”

The question being put on the amendment, it was negated by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 30, be amended by replacing lines 17 to 23 on page 14 with the following:

“(3) The Minister may, on notice to the claimant, apply in writing to the Commission for permission to submit the decision referred to in subsection (1) to the Commission after the one-year period referred to in that subsection has expired. In the application, the Minister shall specify the reasons why it is not possible to submit the decision before the expiration of the period. In considering the application, the Commission shall give the Minister and the claimant a full and fair opportunity to be heard.

(3.1) If an application is granted under subsection (3), the Commission shall specify if any further delays might be allowed and, if so, under what circumstances. Any application for a further delay must conform with the procedural requirements set out in subsection (3). If the Minister fails to submit the decision in accordance with the requirements specified by the Commission on granting the application, that failure shall, for the purposes of section 31, be deemed to be a decision of the Minister not to negotiate the claim in question.

(3.2) If an application is refused under subsection (3), the refusal shall, for the purposes of section 31, be deemed to be a decision of the Minister not to negotiate the claim in question.”

The question being put on the amendment, it was negated by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 30, be amended by replacing line 19 on page 14 with the following:

“ry meetings, report to the claimant and the Commission on the”

The question being put on the amendment, it was negated by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 30, be amended by replacing line 21 on page 14 with the following:

“Minister’s decision and the”

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 30, be amended by deleting lines 24 to 27 on page 14.

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-6 be amended by adding after line 27 on page 14 the following new clause:

“30.1 If the Minister decides not to negotiate a claim, the Minister shall issue in writing a comprehensive explanation for the decision to the Commission and the claimant. The explanation shall specify all evidence and case law relied on by the Minister in making the decision. If the claimant is not satisfied with the explanation, the claimant may request the Commission to investigate the decision and the facts on which the decision was based. Upon completion of the investigation, the Commission shall issue to the claimant and the Minister a written report setting out its findings and recommendations.”

The question being put on the amendment, it was negatived by a show of hands.

Clause 30 carried on division.

On Clause 31,

Dick Proctor moved, -- That Bill C-6 be amended by deleting Clause 31.

The question being put on the amendment, it was ruled out of order.

The Chair ruled that the proposed motion was out of order on the grounds that a Clause cannot be deleted.

Inky Mark moved, -- That Bill C-6, in Clause 31, be amended by replacing line 29 on page 14 with the following:

“to negotiate a specific claim together with the reasons therefor, the Commission”

The question being put on the amendment, it was negatived by a show of hands.

Clause 31 carried on division.

On Clause 32,

Dick Proctor moved, -- That Bill C-6, in Clause 32, be amended by replacing lines 36 to 43 on page 14 and lines 1 to 8 on page 15 with the following:

“validity of a specific claim to the Tribunal.”

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 32, be amended by replacing lines 40 and 41 on page 14 with the following:

“support of the claim have been identified and re-”

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 32, be amended

(a) by replacing, in the English version, line 43 on page 14 with the following:

“Minister; and”

(b) by replacing lines 4 to 8 on page 15 with the following:

“resolved.”

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 32, be amended by replacing lines 1 to 3 on page 15 with the following:

“(b) a dispute resolution process appropriate for resolving the issue has been used without the issue having been”

The question being put on the amendment, it was negatived by a show of hands.

Clause 32 carried on division.

Clauses 33 and 34 carried severally on division.

On Clause 35,

Maurice Vellacott moved, -- That Bill C-6, in Clause 35, be amended by replacing lines 41 and 42 on page 15 with the following:

“that position have been identified and researched and”

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved,-- That Bill C-6, in Clause 35, lbe amended by replacing lines 1 to 3 on page 16 with the following:

“(b) a dispute resolution process appropriate for resolving the issue has been used without the issue having been”

Clause 35 carried on division.

On Clause 41,

Maurice Vellacott moved, -- That Bill C-6, in Clause 41, be amended by replacing line 16 on page 18 with the following:

“the recommendation of the Minister from a list of candidates approved by both the Minister and the Assembly of First Nations.”

The question being put on the amendment, it was negated by a show of hands.

Inky Mark moved, -- That Bill C-6, in Clause 41, be amended by replacing line 16 on page 18 with the following:

“the recommendation of the Minister and the Assembly of First Nations, the Congress of Aboriginal Peoples and the Native Women’s Association of Canada.”

The question being put on the amendment, it was negated by a show of hands.

Dick Proctor moved, -- That Bill C-6, in Clause 41, be amended by replacing line 16 on page 18 with the following:

“the joint recommendation of the Minister and the Assembly of First Nations.”

The question being put on the amendment, it was negated by a show of hands.

Inky Mark moved, -- That Bill C-6, in Clause 41, be amended by replacing line 23 on page 18 with the following:

“recommendation of the Minister and the Assembly of First Nations, the Congress of Aboriginal Peoples and the Native Women’s Association of Canada, at any time”

The question being put on the amendment, it was negated by a show of hands.

Dick Proctor moved, -- That Bill C-6, in Clause 41, be amended by replacing line 23 on page 18 with the following:

“joint recommendation of the Minister and the Assembly of First Nations, at any time”

The question being put on the amendment, it was adopted by a show of hands.

John Finlay moved, -- That Bill C-6, in Clause 41, be amended by replacing, in the English version, line 31 on page 18 with the following:

“Chief Adjudicator shall hold office during”

After debate, the question being put on the amendment, it was adopted.

Maurice Vellacott moved, -- That Bill C-6, in Clause 41, be amended by replacing line 33 on page 18 with the following:

“ten years and may be removed for cause by”

By unanimous consent, the motion was withdrawn.

Maurice Vellacott moved, -- That Bill C-6, in Clause 41, be amended by replacing line 34 on page 18 with the following:

“the Governor in Council, on the recommendation of the Minister and the Assembly of First Nations.”

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 41, be amended by replacing line 3 on page 19 with the following:

“than eight years and may be removed for cause”

By unanimous consent, the motion was withdrawn.

Maurice Vellacott moved, -- That Bill C-6, in Clause 41, be amended by replacing line 4 on page 19 with the following:

“by the Governor in Council, on the recommendation of the Minister and the Assembly of First Nations.”

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 41, be amended by replacing lines 5 and 6 on page 19 with the following:

“(7) The Governor in Council may, on the recommendation of the Minister and the Assembly of First Nations, re-appoint an adjudicator on the expiration of any term of office in”

The question being put on the amendment, it was negatived by a show of hands.

Inky Mark moved, -- That Bill C-6, in Clause 41, be amended by replacing line 7 on page 19 with the following:

“the same or another capacity on the recommendation of the Minister and the Assembly of First Nations, the Congress of Aboriginal Peoples and the Native Women's Association of Canada.”

The question being put on the amendment, it was negatived by a show of hands.

After debate, Clause 41, as amended, carried on division.

On Clause 45,

Maurice Vellacott moved, -- That Bill C-6, in Clause 45, be amended by replacing line 25 on page 20 with the following:

“(e) discovery proceedings, so as to ensure the full and fair disclosure of all material and information in the possession of all parties that relates to any issue before the Tribunal;”

The question being put on the amendment, it was negatived by a show of hands.

Clause 45 carried by a show of hands.

On Clause 53,

Maurice Vellacott moved, -- That Bill C-6, in Clause 53, be amended by replacing lines 21 and 22 on page 23 with the following:

“place that is suitable for all parties, into the issue in respect of which the panel”

The question being put on the amendment, it was negatived by a show of hands.

Clause 53 carried.

On Clause 56,

Inky Mark moved, -- That Bill C-6, in Clause 56, be amended by replacing lines 38 and 39 on page 23 and line 1 on page 24 with the following:

“relation to the claim, based ”

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 56, be amended by replacing lines 38 and 39 on page 23 and line 1 on page 24 with the following:

“relation to the claim, to a maximum of twenty-five million dollars, based”

The question being put on the amendment, it was negatived by a show of hands.

Dick Proctor moved, -- That Bill C-6, in Clause 56, be amended by replacing lines 38 and 39 on page 23 and lines 1 to 3 on page 24 with the following:

“relation to the claim, based on just compensation for economic losses;”

The question being put on the amendment, it was negatived by a show of hands.

Inky Mark moved, -- That Bill C-6, in Clause 56, be amended by replacing lines 12 to 14 on page 24 with the following:

“(2) Two or more specific claims shall be treated as one”

The question being put on the amendment, it was negatived by a show of hands.

Clause 56 carried by a show of hands.

On Clause 71,

Maurice Vellacott moved, -- That Bill C-6, in Clause 71, be amended by replacing line 25 on page 27 with the following:

“judicial review under the *Federal Court Act* on application by a party.”

The question being put on the amendment, it was negatived by a show of hands.

Clause 71 carried on division.

On Clause 73,

Maurice Vellacott moved, -- That Bill C-6, in Clause 73, be amended by adding after line 16 on page 28 the following:

“(1.1) Notwithstanding subsection (1), any amount allocated by the Crown for the payment of awards of compensation in a particular fiscal year shall be fully paid out at the end of that fiscal year if, at that time, there are any awards of compensation that have been granted to a claimant but not yet fully paid.”

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 73, be amended by replacing lines 20 to 23 on page 28 with the following:

“quoted by a bank for a guaranteed investment certificate with a five year term in the month in which the award was made,”

The Chair ruled that the proposed motion was out of order on the grounds that it changes the terms and conditions of the Royal Recommendation.

Clause 73 carried by a show of hands.

On Clause 76,

Maurice Vellacott moved, -- That Bill C-6, in Clause 76, be amended by replacing line 14 on page 29 with the following:

“of this section, the Minister, together with the Assembly of First Nations, shall undertake”

The question being put on the amendment, it was negatived by a show of hands.

Dick Proctor moved, -- That Bill C-6, in Clause 76, be amended

(a) by replacing line 14 on page 29 with the following:

“of this section, the Minister, the Chief Executive Officer and the Assembly of First Nations shall undertake”

(b) by replacing lines 18 and 19 on page 29 with the following:

“matters related to this Act that the Minister, the Chief Executive Officer and the Assembly of First

Nations consider appropriate.”

(c) by replacing line 21 on page 29 with the following:

“Minister, the Chief Executive Officer and the Assembly of First Nations shall cause to be prepared and sign a”

(d) by replacing lines 25 and 26 on page 29 with the following:

“either of its divisions, that the Minister, the Chief Executive Officer and the Assembly of First Nations recommend.”

The question being put on the amendment, it was negated by a show of hands.

Maurice Vellacott moved, -- That Bill C-6, in Clause 76, be amended by replacing line 19 on page 29 with the following:

“and the Assembly of First Nations consider appropriate.”

The question being put on the amendment, it was negated by a show of hands.

Inky Mark moved, -- That Bill C-6, in Clause 76, be amended by replacing line 26 on page 29 with the following:

“recommends, which report shall be reviewed by the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources.”

After debate, the question being put on the amendment, it was adopted by a show of hands.

After debate, Clause 76, as amended, carried.

On new Clause (76.1)

Maurice Vellacott moved, -- That Bill C-6 be amended by adding after line 30 on page 29 the following new clause:

“76.1 For the purposes of any claim that has been filed with the Indian Claims Commission at the time that any provision of this Act comes into force, the Centre shall assume all the authority and responsibility for the claim that was held by the Indian Claims Commission, even if the amount of the claim exceeds the claim limit. In particular, the claimant shall enjoy the same right to a public inquiry and to have recommendations made on the claim.”

The question being put on the amendment, it was negated by a show of hands.

New Clause (76.1) negated by a show of hands.

On Clause 77,

Inky Mark moved, -- That Bill C-6, in Clause 77, be amended by adding after line 37 on page 29 the following:

“(2) Any regulations made under this section are to be approved by the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources before they come into force or are published in the *Canada Gazette*.”

The question being put on the amendment, it was negatived by a show of hands.

Clause 77 carried on division.

Schedule I carried.

Clause 1 carried.

The Title carried.

The Bill, as amended, carried.

ORDERED, -- That the Chair report Bill C-6 with amendments to the House as the Second Report of the Committee.

At 5:56 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 11

Wednesday, December 4, 2002

IN CAMERA



Français

MINUTES OF PROCEEDINGS

Meeting No. 11

Wednesday, December 4, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met *in camera* at 3:32 p.m. this day, in Room 307, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, R. John Efford, John Finlay, Yvan Loubier, Inky Mark, Benoît Serré, Brent St. Denis and Maurice Vellacott.

Acting Members present: Dick Proctor for Pat Martin, Beth Phinney for Nancy Karetak-Lindell, Lawrence MacAulay for Anita Neville and John Maloney for Brent St-Denis.

In attendance: From the Library of Parliament: Jean-Luc Bourdages, Mary Hurley and Carole Hilling, Analysts.

The Committee proceeded to the consideration of its future business.

It was agreed,-- That in relation to its study of Bill C-7, The First Nations Governance legislation, the committee retain the services of Jodie-Lynn Waddilove to summarize briefs at an hourly rate of \$ 20.00 per hour, not to exceed 100 hours and a total cost of \$2000.00 + GST.

It was agreed,-- That in relation to its study of Bill C-7, The First Nations Governance legislation, the committee retain the advertising agency Acart, for a flat fee of \$100,000.00 + GST to mount an advertising campaign in support of the Committee's work.

It was agreed,-- That in relation to its study of Bill C-7, The First Nations Governance legislation, the committee retain the services of personnel of the advertising agency Acart for a flat fee of \$18,000.00 + GST to provide communications services in relation to the approved advertising contract.

It was agreed,-- That in relation to its study of Bill C-7, The First Nations Governance legislation, the Committee initiate an extensive mailing of a bullet-form information sheet on participating in the Bill C-7 legislative process. This sheet will be made available on the Committee's web-site and will also be sent to the offices of all Members of Parliament encouraging them to make their constituents aware of the Committee's activities.

It was agreed,-- That in relation to its study of Bill C-7, The First Nations Governance legislation, the Committee request that all requests to appear be received by the Clerk no later than January 24, 2003, and that written or taped submissions be received no later than February 14, 2003.

It was agreed,-- That in relation to its study of Bill C-7, The First Nations Governance legislation, the Committee travel to the following locations across Canada:

Nova Scotia – either Halifax or Sydney
New Brunswick – Fredericton

Quebec – Montreal, Val d'Or, and Sept-Iles
Ontario – Toronto, Sudbury, Thunder Bay
Manitoba – Winnipeg, Thompson
Saskatchewan – Regina, Prince Albert, North Battleford
Alberta – Red Deer, Slave Lake, Fort McMurray
British Columbia – Prince Rupert, Prince George, Nanaimo

It was agreed,-- That in relation to its study of the First Nations Governance legislation, the Committee authorize that assistants of the Minister of Indian Affairs and Northern Development as well as one assistant to each member of the Committee, travel with the Committee with all travel, accommodation costs, per diem, and any other associated travel costs being borne by the either the department or the Member's personal operating budget.

It was agreed,-- That in relation to the study of Bill C-7, the First Nations Governance legislation, the hearing schedule for Ottawa be approved, with hearings beginning on Monday, January 27, 2003 and ending on Friday, February 14, 2003.

At 4:17 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 12

Thursday, December 5, 2002

ORDER OF THE DAY:

Study of Bill C-2, An Act to establish a process for assessing the environmental and socio-economic effects of certain activities in Yukon

WITNESSES:

Klondike Placer Miners' Association:

Ann Ledwidge, Director.

Yukon Chamber of Commerce:

Sandy Babcock, Executive Director;

Robert McIntyre, Treasurer.

Yukon Chamber of Mines:

Mike Power, President.

Yukon Conservation Society:

Chuck Birchall, Counsel;

Christine Cleghorn, Executive Director.



Français

MINUTES OF PROCEEDINGS

Meeting No. 12

Thursday, December 5, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 11:04 a.m. this day, in Room 253-D, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, John Finlay, John Godfrey, Nancy Karetak-Lindell, Yvan Loubier, Inky Mark, Benoît Serré, Brent St. Denis and Maurice Vellacott.

Acting Member present: Larry Bagnell for Anita Neville.

In attendance: From the Library of Parliament: Mary Hurley, Carol Hilling and Monique Hébert, Analysts.

Witnesses: From the Yukon Chamber of Commerce: Sandy Babcock, Executive Director; Robert L. McIntyre, Treasurer. *From the Yukon Chamber of Mines:* Mike Power, President. *From the Klondike Placer Miners' Association:* Tara Christie, President; Ann Ledwidge, Director. *From the Yukon Conservation Society:* Chuck Birchall, Lawyer, Birchall & Northey; Christine Cleghorn, Executive Director.

Pursuant to its Order of Reference of Thursday, October 3, 2002, the Committee resumed consideration of Bill C-2, An Act to establish a process for assessing the environmental and socio-economic effects of certain activities in Yukon (*See Minutes of Proceedings, Tuesday, December 3, 2002, Meeting No. 9*).

Sandy Babcock, Mike Power and Ann Ledwidge each made an opening statement and, with the witnesses, answered questions.

At 11:38 a.m., the sitting was suspended.

At 11:39 a.m., the sitting resumed.

Christine Cleghorn made an opening statement, and, with the witness, answered questions.

It was agreed, by a show of hands, that,-- That the Committee begin the clause-by-clause consideration of Bill C-2 at 3:30 p.m. this day.

YEAS: 5	NAYS: 4
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At 12:30 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 13

Thursday, December 5, 2002

ORDER OF THE DAY:

Study of Bill C-2, An Act to establish a process for assessing the environmental and socio-economic effects of certain activities in Yukon

WITNESSES:

Department of Justice Canada:

Deborah Friedman, Counsel, Métis and Non-Status Initiatives, Aboriginal Law and Strategic Initiatives.

Indian and Northern Affairs Canada:

John Bailey, Negotiator.



MINUTES OF PROCEEDINGS

Meeting No. 13

Thursday, December 5, 2002

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:34 p.m. this day, in Room 307, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, John Finlay, Nancy Karetak-Lindell, Yvan Loubier, Inky Mark, Benoît Serré and Maurice Vellacott.

Acting Members present: Bernard Patry for Anita Neville, Carmen Provenzano for Brent St-Denis, Roy Cullen for John Efford and Larry McCormick for John Godfrey.

In attendance: From the Library of Parliament: Mary Hurley, Carol Hilling and Monique Hébert, Analysts.

Pursuant to its Order of Reference of Thursday, October 3, 2002, the Committee resumed consideration of Bill C-2, An Act to establish a process for assessing the environmental and socio-economic effects of certain activities in Yukon (*See Minutes of Proceedings, Tuesday, December 3, 2002, Meeting No. 9*).

The Committee proceeded to Clause-by-Clause consideration of the Bill.

Pursuant to Standing Order 75(1), consideration of Clause 1 is postponed.

On Clause 2,

Maurice Vellacott moved,-- That Bill C-2, in Clause 2, be amended by replacing line 26 on page 4 with the following:

“been undertaken prior to the coming into force of this Act and that, if”

The question being put on the amendment, it was negatived.

John Finlay moved, -- That Bill C-2, in Clause 2, be amended by replacing lines 42 and 43 on page 7 with the following:

“proposes to require - under a federal or territorial law, a municipal by-law or a first nation law - that it be undertaken.”

The question being put on the amendment, it was adopted by a show of hands.

Clause 2 carried by a show of hands.

Clause 3 carried by a show of hands.

Clause 4 carried by a show of hands.

On Clause 5,

Inky Mark moved, -- That Bill C-2, in Clause 5, be amended by adding after line 11 on page 11 the following:

“(h.1) to ensure that projects are carried out in a manner consistent with the principle of sustainable development;”

The question being put on the amendment, it was negatived.

Clauses 5 and 6 carried.

On new Clause (7.1)

Maurice Vellacott moved, -- That Bill C-2 be amended by adding after line 42 on page 11 the following new clause

“FIVE-YEAR REVIEW

7.1 Five years after this Act comes into force, the Minister shall cause an independent review of the Act and its administration and operation to be conducted, and shall cause a report on the review to be laid before each House of Parliament on any of the first fifteen days on which that House is sitting after the review is completed.”

The question being put on the amendment, it was negatived by a show of hands.

Clause 7 carried.

On Clause 8,

Maurice Vellacott moved, -- That Bill C-2, in Clause 8, be amended

(a) by replacing lines 5 to 11 on page 12 with the following:

“sons; and

(b) four other members.”

(b) by deleting lines 28 to 33 on page 12.

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-2, in Clause 8, be amended by replacing lines 12 to 14 on page 12 with the following:

“(2) The federal minister shall

(a) set out minimum qualifications and other criteria for the selection of the members of the Board that shall be followed in all nominations and appointments; and

(b) appoint the members of the Board after seeking the views of the Minister of the Environment.”

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-2, in Clause 8, be amended

(a) by replacing lines 18 and 19 on page 12 with the following:

another on the nomination of the territorial minister and the"

) by replacing line 26 on page 12 with the following:

and two on the nomination of the territorial"

the question being put on the amendment, it was negated by a show of hands.

ky Mark moved, -- That Bill C-2, in Clause 8, be amended by replacing lines 25 to 27 on page 12 with the following:

appointed on the nomination of the Council, one on the nomination of the territorial minister and one nominated by the territorial minister to represent the affected municipalities."

the question being put on the amendment, it was negated by a show of hands.

auses 8 to 21 carried severally.

n Clause 22,

aurice Vellacott moved, -- That Bill C-2, in Clause 22, be amended

) by replacing line 21 on page 16 with the following:

"22. (1) The Board shall name a"

) by replacing lines 28 and 29 on page 16 with the following:

office for an assessment district, the Board shall consult the territorial minister,"

) by replacing lines 35 to 39 on page 16 with the following:

"(3) The Board shall publish a notice of the selection of a community, or of any change in the selection, in the *Canada Gazette*, in a periodical that, in the Board's opinion, has a large circulation in"

the question being put on the amendment, it was negated by a show of hands.

auses 22 to 29 carried severally.

n Clause 30,

aurice Vellacott moved, -- That Bill C-2, in Clause 30, be amended by replacing line 21 on page 19 with the following:

"(a) reviews of existing projects where a material change in the project is proposed, reviews of"

the question being put on the amendment, it was negated by a show of hands.

Clause 30 carried.

n Clause 31,

Maurice Vellacott moved, -- That Bill C-2, in Clause 31, be amended by deleting lines 27 to 33 on page 20.

The question being put on the amendment, it was negatived by a show of hands.

Clause 31 carried.

Clauses 32 to 39 carried severally.

On Clause 40,

Maurice Vellacott moved, -- That Bill C-2, in Clause 40, be amended by replacing lines 38 and 39 on page 22 and 1 to 3 on page 23 with the following:

“process and shall provide certainty to persons participating in the assessment process with respect to assessment procedures, time limits and, to the extent practicable, costs.”

The question being put on the amendment, it was negatived by a show of hands.

Clause 40 carried.

On Clause 41,

Maurice Vellacott moved, -- That Bill C-2, in Clause 41, be amended by replacing lines 7 and 8 on page 23 with the following:

“projects and plans within the time limits.”

The question being put on the amendment, it was negatived by a show of hands.

Clauses 41 and 42 carried.

On Clause 43,

Maurice Vellacott moved, -- That Bill C-2, in Clause 43, be amended by adding after line 40 on page 24 the following:

“(2) The number of days the proponent takes to provide the required supplementary information shall be added to the time limits imposed on the assessment process.”

The question being put on the amendment, it was negatived by a show of hands.

Clauses 43 carried.

Clauses 44 to 50 carried severally.

On Clause 51,

John Finlay moved, -- That Bill C-2, in Clause 51, be amended by replacing lines 25 to 28 on page 29 with the following:

“other activity that it considers likely to be undertaken in relation to an activity so identified and sufficiently related to it to be included in the project.”

The question being put on the amendment, it was adopted.

Clause 51, as amended, carried.

Clauses 52 to 59 carried severally.

On Clause 60,

Mr. Mark moved, -- That Bill C-2, in Clause 60, be amended

a) by replacing, in the English version, line 23 on page 34 with the following:

“project;”

b) by replacing, in the English version, line 27 on page 34 with the following:

“the consent of the territorial minister; or”

c) by adding after line 27 on page 34 the following:

“(d) by a municipality with the consent of the territorial minister.”

The question being put on the amendment, it was negatived by a show of hands.

Clause 60 carried.

Clauses 61 to 102 carried severally.

On Clause 103,

Mr. Mark moved, -- That Bill C-2, in Clause 103, be amended

a) by replacing, in the English version, line 29 on page 60 with the following:

“the originator;”

b) by replacing, in the English version, line 35 on page 60 with the following:

“territorial minister; or”

c) by adding after line 35 on page 60 the following:

“(d) at the request of a municipal government, if the municipal government is the originator.”

The question being put on the amendment, it was negatived.

Mr. Mark moved, -- That Bill C-2, in Clause 103, be amended by replacing, in the English version, line 43 on page 60 with the following:

“to a review, by the territorial minister will”

The question being put on the amendment, it was negatived by a show of hands.

Clause 103 carried.

Clauses 104 and 105 carried.

Clauses 103 to 106 carried severally.

John Finlay moved, -- That Bill C-2, in Clause 106, be amended by replacing line 46 on page 61 with the following

“section 103 or 105 and of the manner in which”

The question being put on the amendment, it was adopted.

Clause 106 , as amended, carried.

Clauses 107 to 109 carried severally.

On Clause 110,

Maurice Vellacott moved, -- That Bill C-2, in Clause 110, be amended by replacing line 19 on page 64 with the following:

“project, if it can demonstrate to the decision body that such ongoing measures are warranted.”

The question being put on the amendment, it was negatived by a show of hands.

Maurice Vellacott moved, -- That Bill C-2, in Clause 110, be amended by replacing line 20 on page 64 with the following:

“(2) Project audits and effects monitoring shall require of project managers as little involvement as possible.

(3) A decision body that accepts a recom-”

The question being put on the amendment, it was negatived by a show of hands.

Clause 110 carried

Clauses 111 to 120 carried severally.

On Clause 121,

John Finlay moved, -- That Bill C-2, in Clause 121, be amended by replacing, in the French version, lines 12 and 3 page 68 with the following:

“communication et n'est obligé par aucun texte législatif territorial ni aucun texte”

The question being put on the amendment, it was adopted.

Clause 121, as amended, carried.

On Clause 122,

Yanky Mark moved, -- That Bill C-2, in Clause 122, be amended by adding after line 45 on page 68 the following:

“(2) Any regulations made under this section are to be reviewed by the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources before they come into force or are published in the *Canada Gazette*.”

The question being put on the amendment, it was adopted.

Maurice Vellacott moved, -- That Bill C-2, in Clause 122, be amended by adding after line 45 on page 68 the following:

“(2) No regulation shall be made under subsection (1) until after the draft version has been reviewed at a public hearing.”

The question being put on the amendment, it was negatived by a show of hands.

Clause 122, as amended, carried.

On Clause 123,

John Finlay moved, -- That Bill C-2, in Clause 123, be amended by replacing, in the French version, lines 6 and 7 on page 69 with the following:

“tout organisme chargé, aux termes d'un texte législatif fédéral autre que la Loi sur”

The question being put on the amendment, it was adopted.

Clause 123, as amended, carried.

Clauses 124 and 125 carried severally.

On Clause 126,

John Finlay moved, -- That Bill C-2, in Clause 126, be amended by replacing lines 36 to 39 on page 70 with the following:

“made to a territorial agency under a territorial law, or to a first nation under a first nation law or the first nation's final agreement, for the”

The question being put on the amendment, it was adopted.

Clause 126, as amended, carried.

Clauses 127 to 134 carried severally.

Schedule I carried.

Clause 1 carried.

The Title carried.

The Bill, as amended, carried.

ORDERED, -- That the Chair report Bill C-2 with amendments to the House as the Third Report of the Committee.

At 5:09 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

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HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 14

Monday, January 27, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

APPEARING:

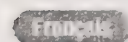
Honourable Robert Nault, Minister of Indian Affairs and Northern Development

WITNESS:

Department of Indian Affairs and Northern Development:

Brenda Kustra, Executive Advisor.





MINUTES OF PROCEEDINGS

Meeting No. 14

Monday, January 27, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 3:55 p.m. this day, in Room 253-D, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, John Godfrey, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Brian Pallister, Benoît Serré, Brent St. Denis.

Acting Member present: Charles Hubbard for John Finlay.

In attendance: From the Committees Branch: Rémi Bourgault, Committee Clerk.

In attendance: From the Library of Parliament: Jean-Luc Bourdages and Mary Hurley, analysts.

Appearing: From the House of Commons: The Hon. Robert D. Nault, Minister of Indian Affairs and Northern Development.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Andrew Beynon, General Counsel; Brenda Kustra, Executive Advisor.

The Order of Reference dated Monday, October 7, 2002, being now read as follows:

ORDERED, -- That Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts be now read a first time and referred to the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources.

The Chair called Clause 1.

The Honourable Robert Nault made an opening statement and, with the witnesses, answered questions.

At 5:13 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 15

Tuesday, January 28, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Assembly of First Nations:

Matthew Coon Come, National Chief;

Ghislain Picard, Vice-Chief.

Office of the Auditor General of Canada:

Maria Barrados, Assistant Auditor General;

Jerome Berthelette, Principal;

Sheila Fraser, Auditor General of Canada.



MINUTES OF PROCEEDINGS

Meeting No. 15

Tuesday, January 28, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 10:01 a.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, John Godfrey, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Brian Pallister, Benoît Serré.

Acting Members present: Larry Bagnell for R. John Efford, Charles Hubbard for John Finlay.

Other Member present: Bev Desjarlais.

From the Committees Branch: Rémi Bourgault, Committee Clerk.

In attendance: From the Library of Parliament: Jean-Luc Bourdages and Mary Hurley, Analysts.

Witnesses: From the Assembly of First Nations: Matthew Coon Come, National Chief; Ghislain Picard, Vice-Chief; Roger Jones, Legal Counsel. *From the Office of the Auditor General:* Sheila Fraser, Auditor General of Canada; Maria Barrados, Assistant Auditor General; Jerome Berthelette, Principal.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

Matthew Coon Come and Ghislain Picard each made an opening statement and answered questions.

At 11:27 a.m., the sitting was suspended.

At 11:29 a.m., the sitting resumed.

Sheila Fraser made an opening statement and, with the witnesses, answered questions.

At 12:25 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 16

Tuesday, January 28, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Canadian Human Rights Commission:

Mary Gusella, Chief Commissioner;
Kelly Russ, Commissioner;
Robert Ward, Acting Secretary General.

Congress of Aboriginal Peoples:

Patrick Brazeau, Coordinator, Governance Legislative Initiative Secretariat;
Dwight Dorey, National Chief.

Elections Canada:

Jean-Pierre Kingsley, Chief Electoral Officer.



MINUTES OF PROCEEDINGS

Meeting No. 16

Tuesday, January 28, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 3:31 p.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, John Godfrey, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Brian Pallister, Benoît Serré, Brent St. Denis.

Acting Member present: Charles Hubbard for John Finlay.

Other Members present: Rick Laliberté and Michel Guimond.

In attendance: From the Committees Branch: Rémi Bourgault, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, analyst.

Witnesses: From the Congress of Aboriginal Peoples: Dwight A. Dorey, National Chief; Frank Palmater, Vice-Chief; Patrick Brazeau, Coordinator, Governance Legislative Initiative Secretariat. *From the Elections Canada:* Jean-Pierre Kingsley, Chief Electoral Officer; Diane Davidson, Deputy Chief Electoral Officer and Chief Legal Counsel. *From the Canadian Human Rights Commission:* Mary Gusella, Chief Commissioner; Kelly Russ, Commissioner; Robert Ward, Acting Secretary General.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

Dwight Dorey made an opening statement and, with the witnesses, answered questions.

At 4:56 p.m., the sitting was suspended.

At 5:00 p.m., the sitting resumed.

Jean-Pierre Kingsley made an opening statement and answered questions.

At 5:40 p.m., the sitting was suspended.

At 5:45 p.m., the sitting resumed.

Mary Gusella and Kelly Russ each made an opening statement and, with the witness, answered

questions.

At 6:26 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 17

Wednesday, January 29, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

National Association of Friendship Centres:

Jocelyn Formsma, President of the Aboriginal Youth Council;

Roger Obonsawin, Senator.

Native Women's Association of Canada:

Terri Brown, President.

**MINUTES OF PROCEEDINGS**

Meeting No. 17

Wednesday, January 29, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 3:33 p.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Nancy Karetak-Lindell, Pat Martin, Brian Pallister, Benoît Serré, Maurice Vellacott, Julian Reed, Charles Hubbard.

Acting Members present: Karen Redman for Anita Neville, Claude Blanchard for Yvan Loubier.

Other Members present: John Finlay, Carole-Marie Allard.

From the Committees Branch: Rémi Bourgault, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, analyst.

Witnesses: From the Native Women's Association of Canada: Terri Brown, President. *From the National Association of Friendship Centres:* Roger Obonsawin, Senator; Jocelyn Formsma, President of the Aboriginal Youth Council.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

At 3:33 p.m., the sitting was suspended.

At 3:56 p.m., the sitting resumed.

Terri Brown made an opening statement and answered questions.

Roger Obonsawin and Jocelyn Formsma each made an opening statement and answered questions.

At 5:25 p.m., the sitting was suspended.

At 5:30 p.m., the Committee proceeded to sit *in camera* to consider its future business.

At 6:29 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 18

Thursday, January 30, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Joint Ministerial Advisory Committee:

Jim Aldridge, Co-Chair;

Roy Bird, Co-Chair.

National Aboriginal Women's Association:

Pamela Paul, President.

Office of the Commission of Canada:

John Reid, Information Commissioner of Canada.





MINUTES OF PROCEEDINGS

Meeting No. 18

Thursday, January 30, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 9:02 a.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Anita Neville, Brian Pallister, Julian Reed, Maurice Vellacott.

Other Member present: Rick Laliberté

From the Committees Branch: Rémi Bourgault, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, analyst.

Witnesses: From the National Aboriginal Women's Association: Pamela Paul, President; Shirley Gagnon, Board Member. *From the Office of the Information Commissioner of Canada:* John M. Reid, Information Commissioner of Canada; Laurence Kearley, Senior Legal Advisor; J. Alan Leadbeater, Deputy Information Commissioner of Canada. *From the Joint Ministerial Advisory Committee:* Roy Bird, Co-Chair; Jim Aldridge, Co-Chair.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

Pamela Paul made an opening statement and answered questions.

John Reid made an opening statement and answered questions.

At 10:16 a.m., the sitting was suspended.

At 10:23 a.m., the sitting resumed.

Jim Aldridge and Roy Bird each made an opening statement and answered questions.

At 11:58 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk(s) of the Committee



HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

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Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 19

Monday, February 3, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Algonquins of Pikwakanagan:

Ron Bernard, Council Member.

Canadian Bar Association National Aboriginal Law Section:

Tamra Thomson, Director;

Garth Wallbridge, Chair.

Centre for Nation Building:

Michael Kanentakeron Mitchell, Executive Director.





MINUTES OF PROCEEDINGS

Meeting No. 19

Monday, February 3, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:36 p.m. this day, in Room 209, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin and Brian Pallister.

In attendance: From the Library of Parliament: Carol Hilling and Mary Hurley, Analysts.

In attendance: From the Committees Branch: Rémi Bourgault, Committee Clerk.

Witnesses: From the Canadian Bar Association National Aboriginal Law Section: Garth Wallbridge, Chair; Tamra L. Thomson, Director, Legislation and Law Reform. *From the Algonquins of Pikwakanagan:* Ron Bernard, Council Member, Lisa Ozawanimke, Chief. *From the Center for Nation Building:* Michael Kanentakeron Mitchell, Executive Director.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

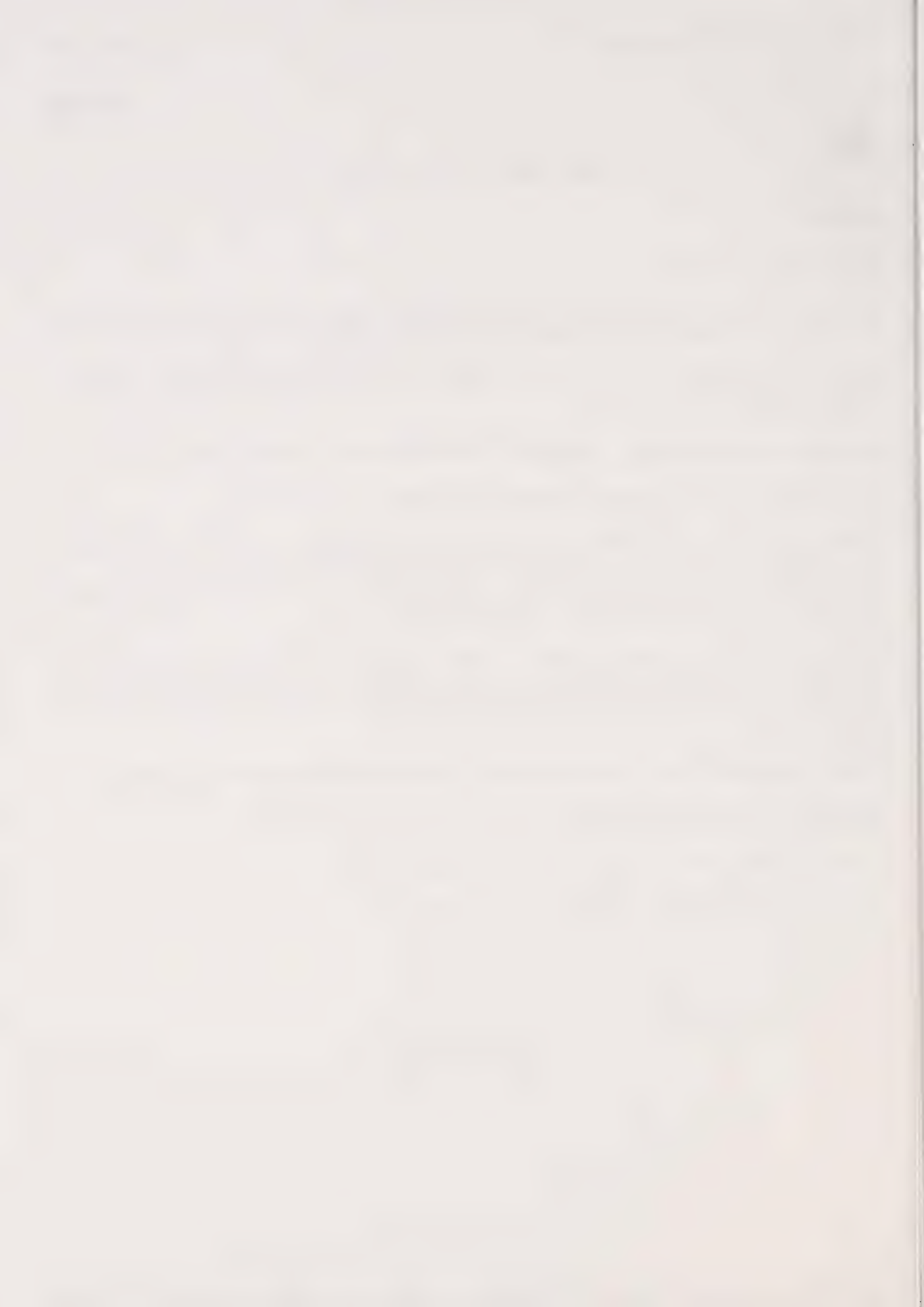
Tamra Thomson and Garth Wallbridge each made an opening statement and answered questions.

Ron Bernard made an opening statement and with the witness answered questions.

Michael Mitchell made an opening statement and answered questions.

At 5:33 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee



HOUSE OF COMMONS OF CANADA
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on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 20

Tuesday, February 4, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Aboriginal Financial Officers Association of Canada:

Donna Morin Chair;

Daniel Ryan, Chair and Chief Executive Officer.

Cornet Consulting and Mediation Inc.:

Wendy Cornet.

University of Ottawa:

Bradford Morse, Professor, Law Faculty.





MINUTES OF PROCEEDINGS

Meeting No. 20

Tuesday, February 4, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 10:05 a.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Brian Pallister, Julian Reed, Benoît Serré and Maurice Vellacott.

In attendance: From the Library of Parliament: Mary Hurley and Carol Hilling, Analysts.

In attendance: From the Committees Branch: Rémi Bourgault, Committee Clerk.

Witnesses: From the Aboriginal Financial Officers Association of Canada: Donna Morin, Chair; Daniel Ryan, Chair and Chief Executive Officer. *From Cornet Consulting and Mediation Inc.:* Wendy Cornet. *From the University of Ottawa:* Bradford Morse, Professor, Faculty of Law.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

Donna Morin made an opening statement and with the witness, answered questions.

Wendy Cornet made an opening statement and answered questions.

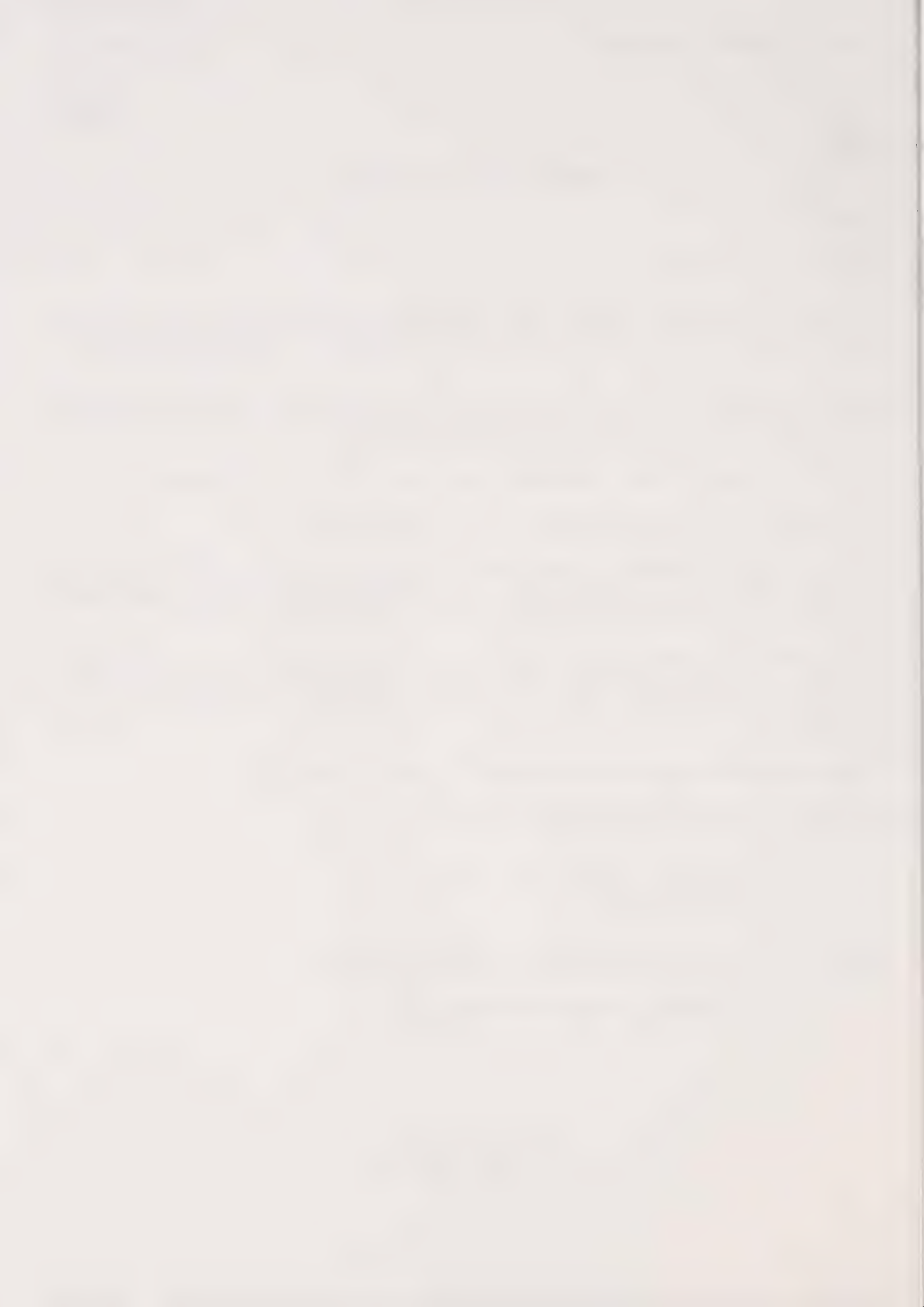
At 11:45 a.m., the sitting was suspended.

At 12:10 p.m., the sitting resumed.

Bradford Morse made an opening statement and answered questions.

At 1:06 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee



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**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 21

Tuesday, February 4, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Prince Albert Grand Council:

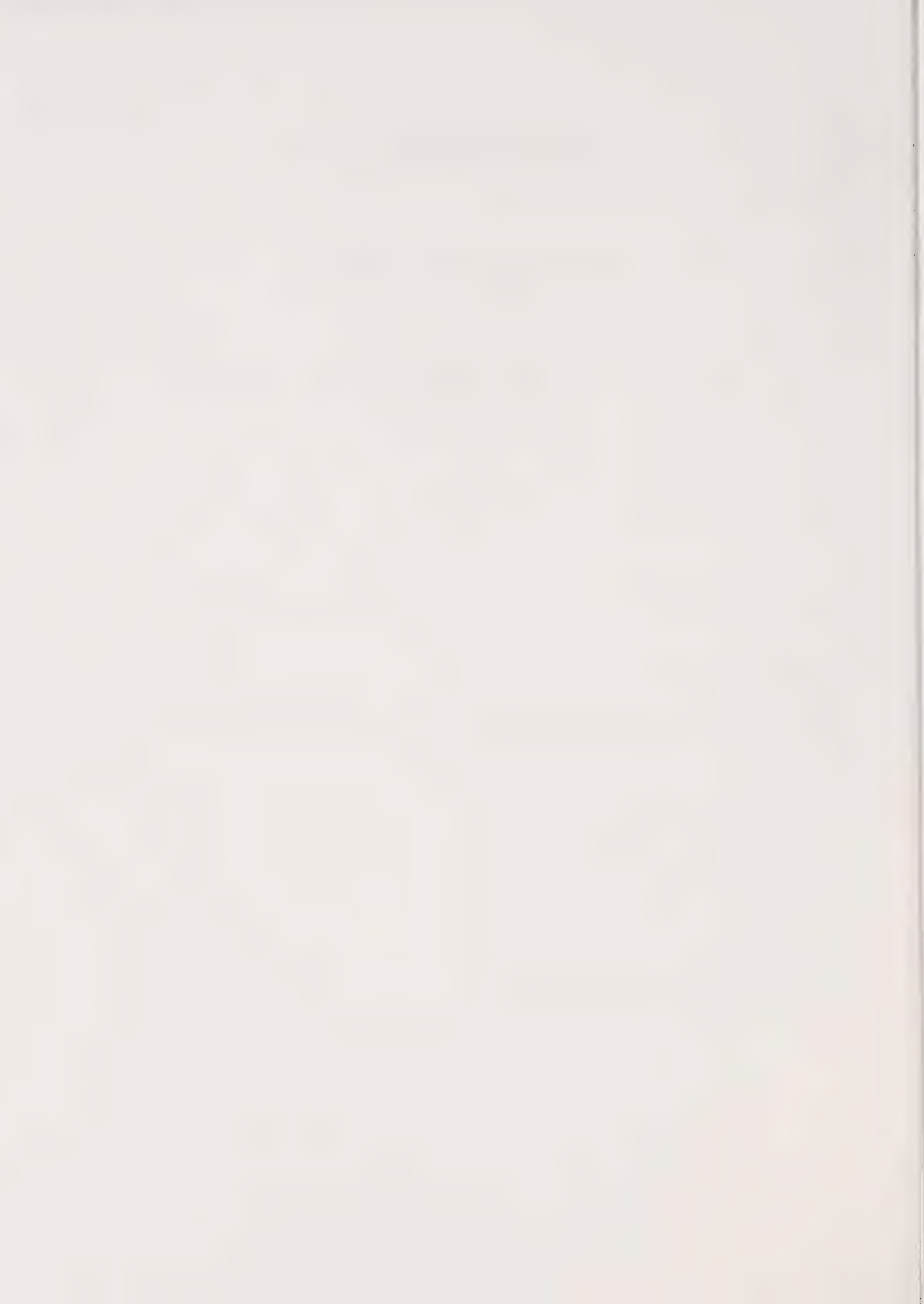
Grand Chief Gary Merasty.

Shoal Lake Cree Nation:

Chief Marcel Head.

University of Ottawa:

Larry Chartrand, Professor, Faculty of Law.





MINUTES OF PROCEEDINGS

Meeting No. 21

Tuesday, February 4, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 3:30 p.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Brian Pallister, Maurice Vellacott.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the University of Ottawa: Larry Chartrand, Professor, Faculty of Law. *From the Prince Albert Grand Council:* Grand Chief Gary Merasty; Chief Marcel Head, Shoal Lake Cree Nation.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

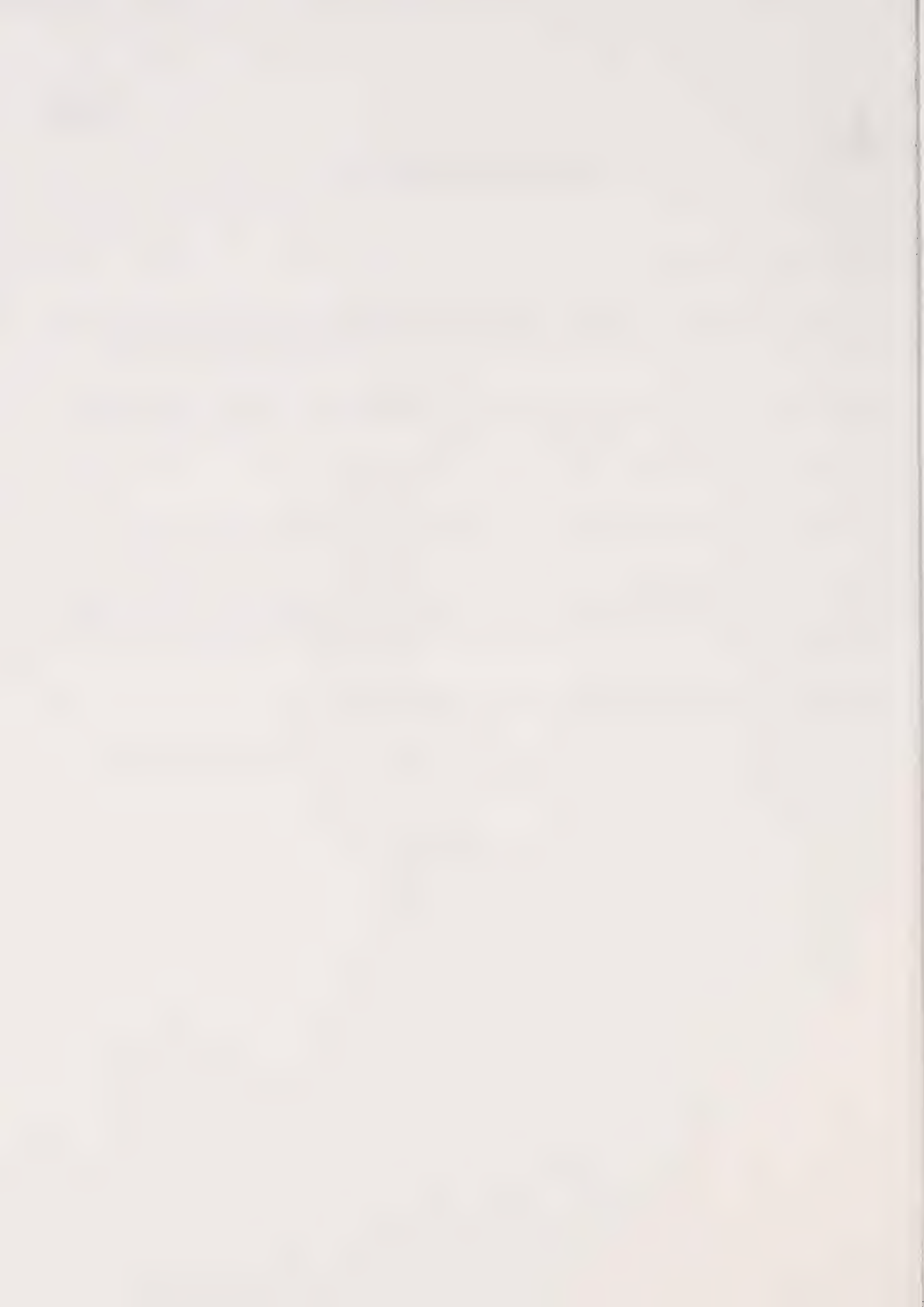
Larry Chartrand made an opening statement and answered questions.

Grand Chief Larry Merasty made an opening statement and, with the witness, answered questions.

At 5:27 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee



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**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 22

Wednesday, February 5, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Indian Taxation Advisory Board:

Clarence (Manny) Jules, Chair.

Institute on Governance:

John Graham, Director.





MINUTES OF PROCEEDINGS

Meeting No. 22

Wednesday, February 5, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 3:32 p.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Brian Pallister, Julian Reed, Maurice Vellacott.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Institute on Governance: John Graham, Director. *From the Indian Taxation Advisory Board:* Clarence Manny Jules, Chair.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

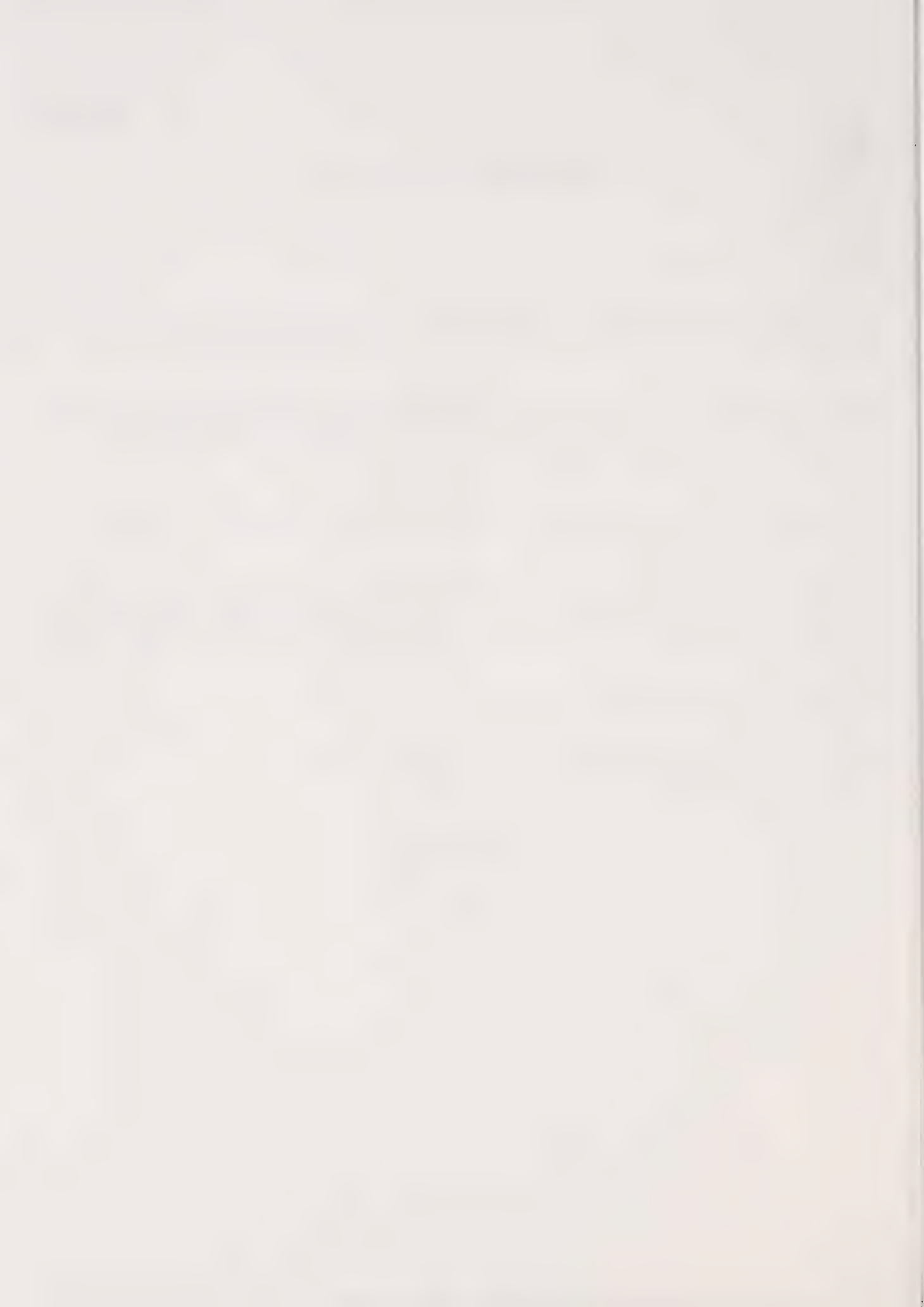
John Graham made an opening statement and answered questions.

Clarence Jules made an opening statement and answered questions.

At 5:12 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee



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**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 23

Thursday, February 6, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Assembly of First Nations:

Vice-Chief Mary Jane Jim, Yukon Region.

Council of Yukon First Nations:

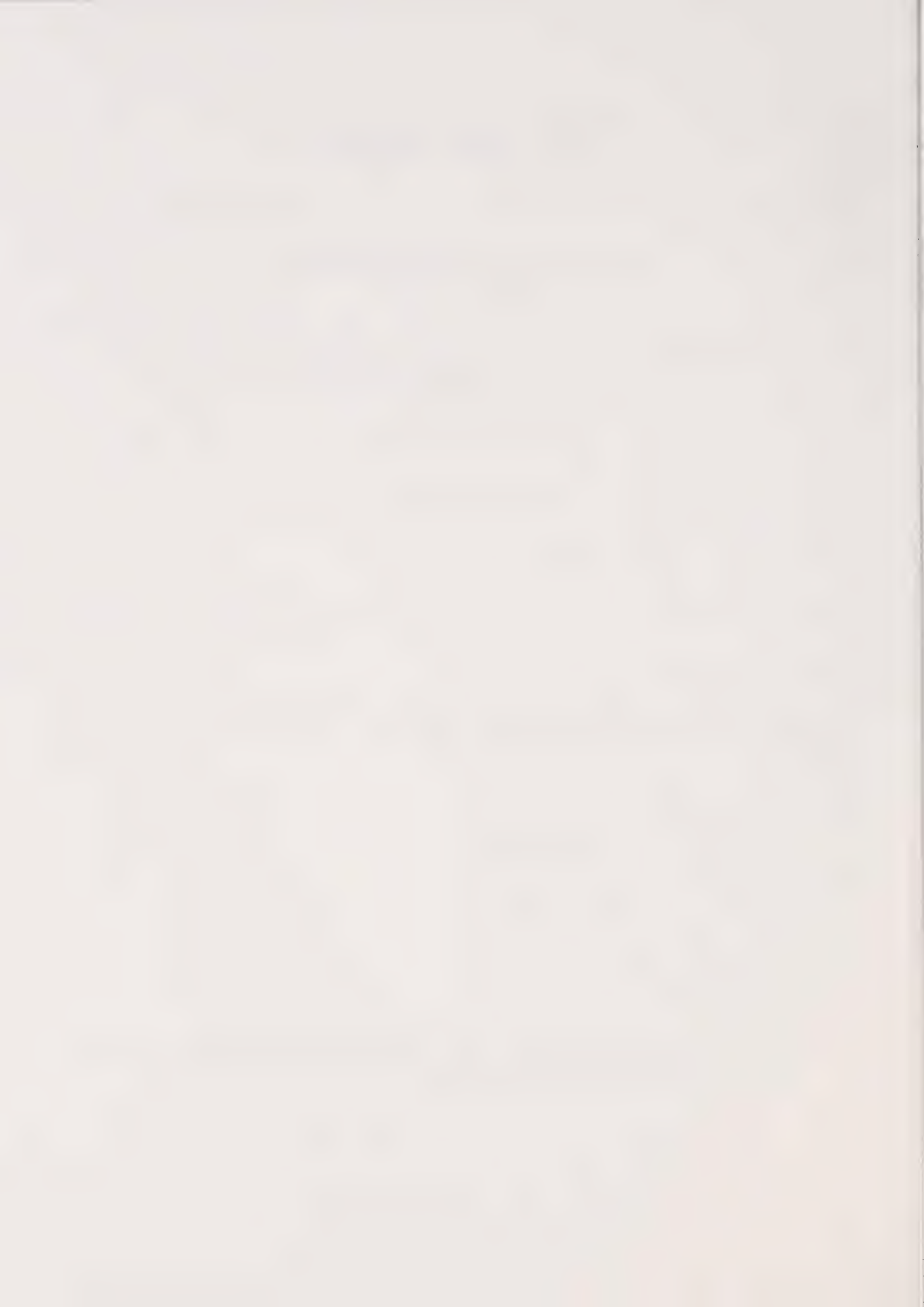
Chief Robert Dickson, Kluane First Nation;

Daryn Leas, Chief Legal Counsel;

Grand Chief Ed Schultz.

University of Arizona:

Stephen Cornell, Professor of Sociology and of Public Administration and Policy, Director of the Udall Centre for Studies in Public Policy.





MINUTES OF PROCEEDINGS

Meeting No. 23

Thursday, February 6, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 10:32 a.m. this day, in Room 308, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Maurice Vellacott.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the University of Arizona: Stephen Cornell, Professor of Sociology and of Public Administration and Policy, Director of the Udall Center for Studies in Public Policy. *From the Assembly of First Nations:* Mary Jane Jim, Regional Vice-Chief, Yukon; Brian McDonald, Legal Counsel; Daryn Leas, Legal Counsel. *From the Council of Yukon First Nations:* Grand Chief Ed Schultz; Chief Bob Dickson, Kluane First Nation.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

Stephen Cornell made an opening statement and answered questions.

At 11:29 a.m., the sitting was suspended.

At 11:35 a.m., the sitting resumed.

Grand Chief Ed Schultz, Mary Jane Jim, and Chief Bob Dickson each made an opening statement and, with the witnesses, answered questions.

At 1:09 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee



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**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 24

Tuesday, February 11, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Canadian Ecumenical Justice Initiatives (Kairos):

Ed Bianchi (Aboriginal Rights Policy Advocate;
Sister Dorothy Moore;
Carl Rausch, Chair, Aboriginal Rights Committee;
Jane Orion Smith, Chair.

Kaska Tribal Council:

Chief Hammond Dick.



MINUTES OF PROCEEDINGS

Meeting No. 24

Tuesday, February 11, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 10:31 a.m. this day, in Room 253-D, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Julian Reed, Benoît Serré, Maurice Vellacott.

Other Member present: Rick Laliberté.

In attendance: From the Committees Branch: Rémi Bourgault, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley and Carol Hilling, Analysts.

Witness(es): From the Canadian Ecumenical Justice Initiatives (Kairos): Jane Orion Smith, Chair; Ed Bianchi, Aboriginal Rights Policy Advocate; Carl Rausch, Chair, Aboriginal Rights Committee; Sister Dorothy Moore, Aboriginal Rights Committee. *From the Kaska Tribal Council:* Chief Hammond Dick.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

Jane Orion Smith, Ed Bianchi, Carl Rausch and Sister Dorothy Moore each made an opening statement and answered questions.

At 11:04 a.m., the sitting was suspended.

At 11:32 a.m., the sitting resumed.

Chief Hammond Dick made an opening statement and answered questions.

At 12:26 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk(s) of the Committee

HOUSE OF COMMONS OF CANADA
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**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 25

Tuesday, February 11, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Andrew Beynon, General Counsel;

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Brenda Kustra, Executive Advisor.

MINUTES OF PROCEEDINGS

ing No. 25

day, February 11, 2003

Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 3:46 p.m. this day, in Room 253-D, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, John Godfrey, Charles Hubbard, Nancy Karetak-ell, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed, Benoît Serré, Maurice Vellacott.

Attendance: From the Library of Parliament: Mary Hurley, Analyst.

Guests(es): From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Brenda Kustra, Executive Advisor; Andrew Beynon, General Counsel.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

Warren Johnson made an opening statement and, with the witnesses, answered questions.

At 3:30 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk(s) of the Committee

HOUSE OF COMMONS OF CANADA
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on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 26

Wednesday, February 12, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESS:

Assembly of First Nations, Northwest Territories:

Chief Bill Erasmus, Vice-Chief; National Chief, Dene Nation.



MINUTES OF PROCEEDINGS

Meeting No. 26

Wednesday, February 12, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 3:33 p.m. this day, in Room 253-D, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Julian Reed, Maurice Vellacott.

In attendance: From the Committees Branch: Rémi Bourgault, Committee Clerk

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witness: From the Assembly of First Nations: Bill Erasmus, Regional Chief, Northwest Territories and National Chief, Dene Nation.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

Bill Erasmus made an opening statement and answered questions.

At 5:05 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk(s) of the Committee

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**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 27

Monday, February 17, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Advisory Council of Treaty 6 Women:

Helen Gladue, Vice-Chairperson and Adviser.

Blood Tribe Historical Society:

Helen Many Fingers, President;

Wallace Many Fingers, Member.

Confederacy of Treaty 6 First Nations:

Quintine Kootenay;

Lorne Morin, Grand Chief.

Maskwachiys Cree of Treaty No. 6:

Marlene Buffalo, Political Analyst.

Morley Community School:

Jeff Horvath, Teacher.

Mount Royal College:

Doug Dokis, Program Adviser, Aboriginal Education.

Peigan Board of Education:

Nicole Weasel Bear, Grade 12 student at Piikani Nation Secondary School;

Denny Listener, Grade 12 student, Piikani Nation Secondary School.

Saddle Lake First Nation:

Eric Large, Councillor;

Joseph Steinhauer, Treaty Technician.

As Individuals:

Victor Buffalo, Chief;

Leo Cattleman, Chief;

Victoria Crowchild-Aberdeen, Elder and Member of the Blood Tribe;

Laura Deedza;

Mark Kaquitts;

Gordon Lee, Ermineskin First Nation;

Sally Listener;

George Minde, Chief;

Veronica Morin;

Rene Paul;

Dila Provost, Member of the Piikani First Nation;

Marie Smallboy;

Celeste Strikes With A Gun;

Simon Threefingers, Chief;

John Twoyoungmen, Member of the Stoney Nakoda Nation (Wesley Band);

Emma Lee Warrior, Member of the Piikani First Nation.

MINUTES OF PROCEEDINGS

ing No. 27

day, February 17, 2003

Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 7:48 a.m. this in Red Deer, Alberta, at the Black Knight Inn, Ballrooms D & E, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Serge Cardin, David Chatters, Charles Hubbard, ice Vellacott.

Member present: Rick Laliberté.

Attendance: From the Committees Branch: Bibiane Ouellette, Committee Clerk.

Attendance: From the Library of Parliament: Mary Hurley, Analyst.

Guests: As Individuals: Gordon Lee; Marie Smallboy; Laura Deedza; John Twoyoungmen, Member of the Stoney da Nation (Wesley Band); Celeste Strikes With A Gun; Emma Lee Warrior, Member of the Piikani First Nation; Provost, Member of the Piikani First Nation; Victoria J. Crowchild-Aberdeen, Elder & member of the Blood; Rene Paul. *From the Mount Royal College:* Doug Dokis, Program Advisor, Aboriginal Education. *From the ey Community School:* Jeff Horvath, Teacher; Mark Kaquitts, Student. *From the Peigan Board of Education:* Listener, Teacher; Nicole Weasle Bear, Grade 12 student at Piikani Nation Secondary School; Denny Listener, e 12 student at Piikani Nation Secondary School. *From the Blood Tribe Historical Society:* Dr. Helen Many ers, President; Wallace Many Fingers, Member. *From the Advisory Council of Treaty 6 Women:* Helen Gladue, -Chairperson/ Advisor; Veronica Morin, Member; Margaret Gadwa, Member. *From the Confederacy of Treaty 6 Nations:* Lorne Morin, Grand Chief; Bobbi Okeymaw, Executive Director; Quintine Kootenay. *From the wachiys Cree of Treaty No. 6:* Marlene R. Buffalo, Political Analyst; Chief Victor Buffalo, Samson Cree Nation; f Simon Three Fingers; Chief George Minde; Chief Leo Cattleman. *From the Saddle Lake First Nation:* Eric J. e; Councillor Joseph Steinhauer, Treaty Technician.

uant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An respecting leadership selection, administration and accountability of Indian bands, and to make related dments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

witnesses made statements and answered questions.

1:59 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
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**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 28

Monday, February 17, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Advisory Council of Treaty 6 Women:

Helen Gladue, Vice-Chairperson and Advisor.

Alexis First Nation:

Roderick Alexis, Chief;

Eileen Sasakamoose, Legal Counsel.

Confederacy of Treaty 6 First Nations:

Lorne Morin, Grand Chief.

Ermineskin First Nation:

Gordon Lee;

George Les Minde, Chief.

Enoch Cree Nation:

Glen Generoux, Financial Controller.

Frog Lake First Nation:

Lorraine Moyah, Councillor;

Raymond Quinney, Chief.

Treaty 7 Tribal Council:

Eugene Creighton, Technical Supporter;

Gregg Smith, Chief Executive Officer.

Tsui Tina First Nation:

Sandford Big Plume, Policy Analyst and Research Director;

Regena Crowchild, Councillor;

Bruce Starlight, Councillor.

Tribal Chiefs Ventures:

Morris Monias, Chief;

Dave Scott, Executive Director.

Yellowhead Tribal Council:

Dennis Callihoo, Legal Counsel;

Howard Mustus, Executive Officer.

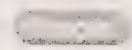
As Individuals:

David Daniels;

Terry Daniels;

Rene Metacat;

Percy Potts.



MINUTES OF PROCEEDINGS

Meeting No. 28

Monday, February 17, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 1:00 p.m. this day, in Red Deer, Alberta, at the Black Knight Inn, Ballrooms D & E, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Charles Hubbard, Maurice Vellacott.

Other Member present: Rick Laliberté.

In attendance: From the Committees Branch: Bibiane Ouellette, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Treaty 7 Tribal Council: Gregg Smith, Chief Executive Officer; Chief Chris Shade, Technical Supporter; Eugene Creighton, Technical Supporter. *From Tribal Chiefs Ventures:* Chief Raymond Quinney; Helen Gladue, Member; Chief Morris Monias; Dave Scott, Executive Director. *From the Yellowhead Tribal Council:* Dennis Callihoo, Legal Counsel; Howard D. Mustus, Chief Executive Officer. *From the Alexis First Nation:* Chief Roderick Alexis; Eileen Sasakamoose. *From the Frog Lake Cree Nation:* Lorraine Moyah, Councillor; Chief Raymond Quinney. *From the Enoch Cree Nation:* Glen Generoux, Financial Controller; Kelly Morin, Councillor; Laura Morin, Councillor; Grand Chief Lorne Morin. *From the Ermineskin Tribe of Hobbema:* Chief George Les Minde; Carol Wildcat; Gordon Lee. *From the Tsuu T'ina First Nation:* Jim Pig Plume; Christine Goodwin; Bruce Starlight; Regena Crowchild. *As Individuals:* Rene Metacat; David Daniels; Terry Daniels; Percy Potts.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 5:32 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

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**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 29

Tuesday, February 18, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Kainaiikis Secretariat:

Lois Frank, Board Member.

Kainaiikis, the voice of Blood Indian Women:

Dolores Day Chief, Council Liaison;

Connie Fox, Blood Tribe Member, Urban Aboriginal Inter Agency Committee.

Kainaiwa - Tribal Government Committee and External Affairs:

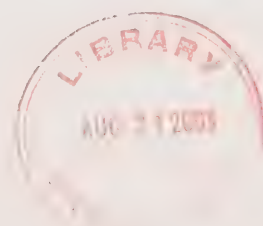
Randy Bottle, Councillor;

Eugene Creighton, Legal Counsel;

Chief Chris Shade, Blood Tribe.

Kiska Waptan and Ta-Otha School:

Butch French, Principal, Ta Otha School.



Stoney First Nation:

Chief Darcy Dixon, Bearspaw Band.

As Individuals:

Sylvia Dixon, Member of the Stoney Nakoda Nation;

Cassie Lefthand, Member of the Stoney Nakoda Nation;

Bill McLean, Member of the Stoney Nakoda Nation.

MINUTES OF PROCEEDINGS

ing No. 29

day, February 18, 2003

Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 7:53 a.m. this in Red Deer, Alberta, at the Black Knight Inn, Ballrooms D & E, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Charles Hubbard, Maurice acott.

Attendance: From the Committees Branch: Bibiane Ouellette, Committee Clerk.

Attendance: From the Library of Parliament: Mary Hurley, Analyst.

Guests: From the Kainaiwa - Tribal Government Committee and External Affairs: Chief Chris Shade, Blood Tribe; dy Bottle, Councillor; Will Longtime Squirrel, Councillor; Annabel Crop Eared Wolf, Technical Support; Eugene ghton, Legal Counsel; Melanie Wells, Legal Counsel; Andy Black Water, Elder. *From the Kiska Waptan and Ta- School:* Butch French, Principal - Ta Otha School. *From the Stoney First Nation:* Chief Darcy Dixon, spaws Band; C.T. McCaskill. *From the Kainaiiis, the voice of Blood Indian Women:* Connie Fox, Blood Tribe ber, Urban Aboriginal Inter Agency Committee; Prof. Lois Frank, Blood Tribe Member & Professor of Native ies, University of Lethbridge; Dolores Day Chief, Council Liaison. *As Individuals:* Bill McLean, Member of the ey Nakoda Nation; Cassie Lefthand, Member of the Stoney Nakoda Nation; Sylvia M. Dixon, Member of the ey Nakoda Nation.

uant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An respecting leadership selection, administration and accountability of Indian bands, and to make related ndments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

witnesses made statements and answered questions.

01 a.m., the sitting was suspended.

16 a.m., the sitting resumed.

0:20 a.m., the sitting was suspended.

0:31 a.m., the sitting resumed.

0:40 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 30

Tuesday, February 18, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Cheam Indian Band:

Denise McDonald, Researcher;
Amelia Victor, Elder and Councillor.

Hupacasath First Nations:

Chief Judith Sayers, Chief Councillor.

Musqueam Indian Band:

Ernest Campbell, Chief.

Qualicum First Nation:

Kim Recalma-Clutesi, Chief Councillor.

Tlowitsis First Nation:

Chief John M. Smith.

As Individuals:

Deborah Baker, Member of the Squamish Nation;

Wendy Lockhart Lundberg, Native Women CARE: Communication, Accountability,
Responsibility, Respect, Equality;

John Mayba;

Cliff Turner.



MINUTES OF PROCEEDINGS

Meeting No. 30

Tuesday, February 18, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:26 p.m. this day, in Nanaimo, British Columbia, at the Beban Park Recreation Centre, Beban Lounge, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Charles Hubbard, Pat Martin, Maurice Vellacott.

Acting Member present: Reed Elley for Brian Pallister.

Other Member present: Rick Laliberté.

In attendance: From the Committees Branch: Bibiane Ouellette.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: As Individuals: Deborah Baker, Member of the Squamish Nation; Velma Baker, Member of the Squamish Nation; Wendy Lockhart Lundberg, Native Women CARE: Communication, Accountability, Responsibility, Respect, Equality. *As an individual:* John Mayba. *From the Cheam Indian Band:* Denise McDonald, Qwoqwel Siyam; Amelia Victor, Elder and Councillor. *From the Hupacasath First Nations:* Chief Judith Sayers, Chief Councillor. *From the Musqueam Indian Band:* Chief Ernest Campbell. *From the Qualicum First Nation:* Kim Recalma-Clutesi, Chief Councillor; Trish Cassidy. *From the Tlowitsis First Nation:* Chief John M. Smith; Ken Smith, Analyst; Thomas Smith, Councillor.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 6:38 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 31

Wednesday, February 19, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Assembly of First Nations:

Alfred Scow.

B.C. Association of Aboriginal Friendship Centres:

Patricia Ekland, Senior Policy Analyst.

British Columbia Treaty Commission:

Debra Hanuse, Commissioner;

Miles Richardson, Chief Commissioner;

Jack Weisgerber, Commissioner.

First Nations Summit:

Grand Chief Edward John;

Vice-Chief Herb George Satsan;

Alfred Scow.

University of Victoria:

Frank Cassidy, Associate Professor, School of Public Administration.



MINUTES OF PROCEEDINGS

Meeting No. 31

Wednesday, February 19, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 8:58 a.m. this day, in Nanaimo, British Columbia, at the Beban Park Recreation Centre, Beban Lounge, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Charles Hubbard, Pat Martin, Maurice Vellacott.

Acting Member present: Reed Elley for Brian Pallister.

In attendance: From the Committees Branch: Bibiane Ouellette, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the First Nations Summit: Grand Chief Edward John; Herb George Satsan. *From the British Columbia Treaty Commission:* Miles Richardson, Chief Commissioner; Debra Hanuse, Commissioner; Jack Weisgerber. *From the BC Association of Aboriginal Friendship Centres:* Patricia A. Ekland, Senior Policy Analyst. *From the Assembly of First Nations:* Grand Chief Herb George Satsan, Office of the BC Regional Vice-Chiefs; Alfred Scow, Judge; Chief Nathan Matthews, Shuswap Tribal Council; Chris Robertson; Dr. Frank Cassidy, University of Victoria. *From the United Native Nations:* Lillian George, Vice-President. *From the University of Victoria:* Dr. Frank Cassidy, Associate Professor, School of Public Administration.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 12:26 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 32

Wednesday, February 19, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Aboriginal Neighbours:

Gloria Cope.

Aboriginal Rights Coalition, Victoria:

Isabel Heaman, Corresponding Secretary.

Kwakiutl District Council:

Micha Menczer;

James Wilson, Chairman.

Malaspina University-College:

J. R. Wytenbroek, Chair of the Human Rights Committee, Malaspina Faculty Association.

Northeast Aboriginal Trappers Society:

Richard Behn, Coordinator.

Nuu-chah-nulth Tribal Council:

Cliff Atleo, Jr., Manager;

Nelson Keitlah, Co-Chair, Central Region.

Parksville/Qualicum Kairos Group:

Rosemarie Hague;

Juliana Kratz;

Mary Wall.

Saltspring Islanders for Justice and Reconciliation:

Roland Gatin.

Stó:lô Nation Government House:

Grand Chief Clarence Pennier.

As Individual:

Frank Brown;

Shana Robinson;

Eileen Wttewaall.



MINUTES OF PROCEEDINGS

Meeting No. 32

Wednesday, February 19, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 1:06 p.m. this day, in Nanaimo, British Columbia, at the Beban Park Recreation Centre, Beban Lounge, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Charles Hubbard, Pat Martin, Maurice Vellacott.

Acting Members present: Reed Elley for Brian Pallister.

In attendance: From the Committees Branch: Bibiane Ouellette, Committee Clerk

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Sto:lo Nation Government House: Grand Chief Clarence Pennier. *As Individuals:* Frank Brown, Shana Robinson; *From the Saltspring Island for Justice and Reconciliation:* Roland Gatin. *From the Aboriginal Rights Coalition - Victoria:* Isabel Heaman, Corresponding Secretary. *From the Parksville/Qualicum Kairos Group:* Mary Wall; Rosemarie Hague; Juliana Kratz. *From the Nuuchah-nulth Tribal Council:* Cliff Atleo, Jr., Manager; Nelson Keitlah, Co-Chair, Central Region. *From the Kwakiutl District Council:* James D. Wilson, Chairman; Micha Menczer, Legal Counsel. *From Aboriginal Neighbours:* Gloria Cope. *From the Malaspina University-College:* Dr. J. R. Wytenbroek, Chair of the Human Rights Committee, Malaspina Faculty Association. *As an Individual:* Eileen Wttewaall. *From the North East Aboriginal Trappers' Society:* Richard J. Behn, Co-ordinator.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 4:08 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 33

Thursday, February 20, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Northwest Tribal Treaty Nations:

Gerald Wesley, Co-chair.

Skeena Native Development Society:

Mr. Clarence Nyce, Chief Executive Officer.

Tsimshian Tribal Council:

Mr. Robert Hill, President.

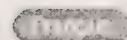
As Individual:

Graham Allen;

Mary Dalen;

Roberta Van Doorn;

Theresa Wesley.



MINUTES OF PROCEEDINGS

Meeting No. 33

Thursday, February 20, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 8:03 a.m. this day, in Prince Rupert, British Columbia, at the Crest Hotel, British Columbia Banquet Room, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Charles Hubbard, Pat Martin, Maurice Vellacott.

In attendance: From the Committees Branch: Bibiane Ouellette, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: As an Individual: Mary G. Dalen. *From the Northwest Tribal Treaty Nations:* Gerald Wesley, Co-chair, Tsimshian Nation. *From the Tsimshian Tribal Council:* Robert H. Hill, President. *From the Skeena Native Development Society:* Clarence Nyce, Chief Executive Officer; Graham Allen, Lawyer; Kevin McKay; Greg Smith, Manager, Business Development. *As Individuals:* Roberta Van Doorn; Theresa Wesley.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 10:33 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 34

Thursday, February 20, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Cariboo Tribal Council:

Willie Alphonse, Jr., Chief, Williams Lake Indian Band.

Ktunaxa/Kinbasket Tribal Council:

Sophie Pierre, Chief.

As Individuals:

Hank Adams Chief;

Andrew Casimel;

Ken Edzerza;

George Girouard;

Ted Morris;

Dorothy Philips, Chief;

Robert L.T. Philips;

Harold Prince;
Kathryn Teneese.



MINUTES OF PROCEEDINGS

Meeting No. 34

Thursday, February 20, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 2:15 p.m. this day, in Prince George, British Columbia, at the UNBC Conference Centre, Room 7-172, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Charles Hubbard, Pat Martin, Maurice Vellacott.

In attendance: From the Committees Branch: Bibiane Ouellette, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Ktunaxa/Kinbasket Tribal Council: Chief Sophie Pierre; Kathryn Teneese, Chief Negotiator. *From the Cariboo Tribal Council:* Chief Willie Alphonse, Jr., Williams Lake Indian Band; Robert L.T. Phillips, Director of Self-Government; George Girouard; Chief Hank Adams, Canoe Creek Band; Chief Dorothy Phillips; Ron Murphy. *As Individuals:* Ted Morris; Andrew Casimel; Ken Edzerza. *From the Carrier Sekani Tribal Council:* Harold Prince, Vice Tribal Chief.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 3:55 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 35

Monday, February 24, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Athabasca Tribal Council:

George Calliou, Acting Chief Executive Director.

As Individual:

Ken Janke.



MINUTES OF PROCEEDINGS

Meeting No. 35

Monday, February 24, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:00 a.m. this day, in Fort McMurray, Alberta, at the Sawridge Hotel, Collingwood and Sands Ballrooms, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, David Chatters, Stan Dromisky, Charles Hubbard, Yvan Loubier, Maurice Vellacott.

In attendance: From the Committees Branch: Rémi Bourgault, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley and Carol Hilling, Analysts.

Witnesses: From the Athabasca Tribal Council: George D. Calliou, Acting Chief Executive Director. *As Individual:* Ken Janke.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 9:49 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 36

Monday, February 24, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Driftpile First Nation:

Chief Rose Laboucan.

First Nations Accountability Coalition:

Verna Soto, Sturgeon Lake Cree Nation.

Kapawe'no First Nation:

Chief Frank Halcrow.

Native Council of Canada (Alberta):

Lawrence Cunningham, Member;

Betty Horseman, Member;

Richard Long, Executive Director;

Doris Ronnenberg, President;

Lillian Shirt, Member.

Sawridge First Nation:

Catherine Twinn.

Sucker Creek First Nation:

Chief Alvin Cardinal.

Treaty 8 First Nations of Alberta:

Harold Cardinal, Legal Counsel.

As Individuals:

Pauline Giroux, Driftpile Band Member;

Dwayne Plante;

Jeff Shawana;

Don Silver;

Gloria Silver, Member of the Dene Tha' First Nation;

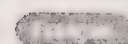
Gordon Sinclair;

Sam Sinclair;

Hazel Vicklund;

Ron Walker, Member of the Sucker Creek First Nation;

Joe Willier, Elder, Sucker Creek First Nation.



MINUTES OF PROCEEDINGS

Meeting No. 36

Monday, February 24, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 2:48 p.m. this day, in Slave Lake, Alberta, at the Sawridge Hotel, Peace Pipe Ballrooms, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, David Chatters, Stan Dromisky, Charles Hubbard, Yvan Loubier, Maurice Vellacott.

In attendance: From the Committees Branch: Rémi Bourgault, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley and Carol Hilling, Analysts.

Witnesses: As Individuals: Pauline Giroux, Driftpile Band Member; Gloria Silver, member of the Dene Tha' First Nation; Don Silver. *From the Native Council of Canada (Alberta):* Sam Sinclair. *As Individuals:* Gordon Sinclair; Dwayne Plante. *From the First Nations Accountability Coalition:* Verna Soto, Grassroot Band Member, Treaty 8 Nation of Alberta; Graham Courtelle. *As an Individual:* Ron Walker, Member of the Sucker Creek First Nation. *From the Native Council of Canada (Alberta):* Doris Ronnenberg, President; Betty Horseman, Member; Hazel Vicklund, Member; Lawrence Cunningham, Member; Lillian Shirt, Member; Richard Long, Executive Director; Winnie Cheecham, Member. *As an Individual:* Joe Willier. *From the Kapawe'no First Nation:* Chief Frank Halcrow; Sydney Halcrow; Peter Chalifoux. *From the Driftpile First Nation:* Chief Rose Laboucan. *From the Treaty 8 First Nations of Alberta:* Harold Cardinal, Legal Counsel; Francis A. Willier. *From the Sawridge First Nation:* Chief Roland Twinn; Catherine M. Twinn. *From the Swan River First Nation:* Leon Chalifoux, Acting Chief. *From the Sucker Creek First Nation:* Chief Alvin Cardinal. *As an Individual:* Jeff Shawana.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 4:10 p.m., the sitting was suspended.

At 4:28 p.m., the sitting resumed.

At 7:51 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 37

Tuesday, February 25, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Buffalo River Dene Nation:

Allan Adam, Dene Interpreter;

Alfred Billette;

Celine Catarat.

Chakastaypasin Band of the Cree Nation:

Chief Calvin Sanderson;

Sol Sanderson.

James Smith Cree Nation:

Isaac Daniels, Elder;

Chief Walter Constant.

Shoal Lake Cree Nation:

Chief Marcel Head.

Sturgeon Lake First Nation:

Chief Earl Ermine.

Women's Commission of the Prince Albert Grand Council:

Carole Sanderson, Senator.

As Individuals:

Celina Ballentine;

Wesley Daniels;

Florence McLeod;

Marco Thériault.



MINUTES OF PROCEEDINGS

Meeting No. 37

Tuesday, February 25, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 8:09 a.m. this day, in Prince Albert, Saskatchewan, at the Prince Albert Inn, Marquis Ballroom, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Maurice Vellacott.

Other Member present: Rick Laliberté.

In attendance: From the Committees Branch: Rémi Bourgault, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley and Carol Hilling, Analysts.

Witnesses: From the Women's Commission of the Prince Albert Grand Council: Carole Sanderson, Senator, Prince Albert Grand Council; Shirley Henderson, Chair. *From the Buffalo River Dene Nation:* Celine Catarat; Alfred Billette; Allan Adam, Dene Interpreter. *From the Chakastaypasin Band of the Cree Nation:* Chief Calvin Sanderson; Col Sanderson. *From the Shoal Lake Cree Nation:* Chief Marcel Head. *From the James Smith Cree Nation:* Chief Walter Constant; Isaac Daniels, Elder. *From the Sturgeon Lake First Nation:* Chief Earl Ermine. *As Individuals:* Florence McLeod; Celina Ballentine; Marco Thériault; Wesley Daniels.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 8:31 a.m., the sitting was suspended.

At 8:49 a.m., the sitting resumed.

At 11:46 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 38

Tuesday, February 25, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Hatchet Lake Denesuline:

Ed Benoanie.

Peter Ballantyne Cree Nation:

Chief Susan Custer.

Red Earth Cree Nation:

Yan McKay, Technician.

Shoal Lake Cree Nation:

Charles Whitecap.

Sturgeon Lake First Nations:

Harold Kingfisher.

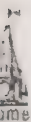
As Individuals:

Fred Ballantyne;

Eileen Linklater;

Graham Linklater;

Louis Wolvering.



MINUTES OF PROCEEDINGS

Meeting No. 38

Tuesday, February 25, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 1:03 p.m. this day, in Prince Albert, Saskatchewan, at the Prince Albert Inn, Marquis Ballroom, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Ivan Loubier, Pat Martin, Maurice Vellacott.

Other Member present: Rick Laliberté.

Attendance: From the Committees Branch: Rémi Bourgault, Committee Clerk.

Attendance: From the Library of Parliament: Mary Hurley and Carol Hilling, Analysts.

Witnesses: From the Red Earth Cree First Nation: Ian McKay, Technician. *From the Hatchet Lake Denesuline:* Edenoanie. *From the Shoal Lake Cree Nation:* Charles Whitecap. *From the Sturgeon Lake First Nation:* Harold Ingfisher. *As an Individual:* Louis Wolverine. *From the Peter Ballantyne Cree Nation:* Chief Susan Custer. *As Individuals:* Graham Linklater; Eileen Linklater; Fred Ballantyne, Peter Ballantyne Cree Nation.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, an Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 2:50 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 39

Wednesday, February 26, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Battlefords Tribal Council:

Larry Doke, Regional Development Partnership;

Eric Tootoosis, Consultant;

Randy Wallace, Chief Executive Officer.

Big Island Lake Cree Nation:

Sol Sanderson, Consultant;

Ernest Sundown, Chief.

City of North Battleford:

Wayne Ray, Mayor.

Federation of Saskatchewan Indian Nations:

Robert Mitchell, Legal Counsel;

Jimmy Myo, Elder.

Merrilee Rasmussen, Legal Counsel;

Terrance Pelletier, Executive Director, Treaty Governance Process;

Lyle Whitefish, Chief, Agency Tribal Council.

Legislative Assembly of Saskatchewan:

Jack Hillson, member.

Lucky Man Cree Nation:

Rod King, Chief.

St. John's Anglican Cathedral:

Ethel Ahenakew, Member of the Outreach Committee, Member of the EcoJustice Committee of the Anglican Church of Canada;

Margaret Gruber, Chair of the Outreach Committee.

University of Saskatchewan:

Anna Hunter, Assistant Professor, Department of Political Studies.

As Individual:

Robert Camplin;

Bill Swimmer;

Coleen Thomas;

Bryan Tootoosis;

John Victor Semaganis.



MINUTES OF PROCEEDINGS

Meeting No. 39

Wednesday, February 26, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:01 a.m. this day, in North Battleford, Saskatchewan, at the Tropical Inn, Battleford Ballroom, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Maurice Vellacott.

Acting Member present: Gerry Ritz for Brian Pallister.

In attendance: From the Committees Branch: Rémi Bourgault, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley and Carol Hilling, Analysts.

Witnesses: From the Battlefords Tribal Council: Randy Wallace, Chief Executive Officer; Corinne Bernier Delainey; Wayne Ray, City of North Battleford; Larry Doke, Regional Development Partnership; Jack Hillson. *From the Big Island Lake Cree Nation:* Chief Ernest Sundown; Eric Tootoosis, Consultant; Lester White Thunder, Consultant; Sol Sanderson, Consultant. *From the Lucky Man Cree Nation:* Chief Rod King. *As an Individual:* John Victor Semaganis. *From the University of Saskatchewan:* Anna Hunter, Assistant Professor, Department of Political Studies; Colleen Thomas. *From the Federation of Saskatchewan Indian Nations:* Chief Lyle Whitefish, Agency Tribal Council replacing Chief Perry Bellegarde; Terrance Pelletier, Executive Director of the Treaty Governance Process; Merrilee Rasmussen, Lawyer; Robert Mitchell, Lawyer, Negotiator, Treaty Governance Process; Jimmy Myo, Elder and Senator. *From the St. John's Anglican Cathedral:* Ethel Ahenakew, Member of the Outreach Committee, Member of the EcoJustice Committee of the Anglican Church of Canada; Margaret Gruber, Chair of the Outreach Committee. *As an Individual:* Robert Camplin, Band member of the Saulteaux Band # 159; James R. Favel; Councillor Bryan Tootoosis, Poundmaker Cree Nation; Bill Swimmer.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 12:10 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 40

Thursday, February 27, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands

WITNESSES:

Cote First Nation:

Karen Stevenson.

Centre for Aboriginal Policy Change:

Tanis Fiss, Director, Canadian Taxpayers' Federation.

Piapot First Nation:

Chief Claude Friday.

Treaty 4 Chiefs' Council:

Ron Crowe, Representative of the File Hills Qu'Appelle Tribal Council & Trustee of the Treaty 4 Trust.

University of Regina:

Professor John Whyte, Senior Policy Fellow, Saskatchewan Institute of Public Policy.

As Individual:

Connie Deiter;
Keitha Kennedy;
Walter Pelletier;
Hugh Poorman.



MINUTES OF PROCEEDINGS

Meeting No. 40

Thursday, February 27, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 8:05 a.m. this day, in Regina, Saskatchewan, at the Radisson Plaza Hotel Saskatchewan, Regency Ballroom, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Yvan Aubier, Pat Martin, Maurice Vellacott.

Attendance: From the Committees Branch: Rémi Bourgault, Committee Clerk.

Attendance: From the Library of Parliament: Mary Hurley and Carol Hilling, Analysts.

Witnesses: From the Cote First Nation: Karen Stevenson. *From the Piapot First Nation:* Chief Claude Friday. *From the Treaty 4 Chiefs' Council:* Ron Crowe, Representative of the File Hills Qu'Appelle Tribal Council & Trustee of the Treaty 4 Trust. *From the University of Regina:* John D. Whyte, Professor and Senior Policy Fellow, Saskatchewan Institute of Public Policy. *From the Centre for Aboriginal Policy Change:* Tanis Fiss, Director, Canadian Taxpayers' Federation. *As Individuals:* Walter Pelletier; Connie Deiter; Hugh Poorman; Keitha Kennedy.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 11:16 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 41

Monday, March 17, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Anishinabek Nation:

Nelson Toulouse, Deputy Grand Chief.

Batchewana First Nation:

Vernon Syrette, Chief.

M'Chigeeng First Nation:

Alan Corbiere, Research Coordinator;

Joe Hare, Councillor.

Moose Cree First Nation:

Dave Fletcher, Adviser to the Chief;

Norman Hardisty, Chief.

Whitefish Lake First Nation:

Gail Shawbonquit, Chief.

As Individual:

Fred Bellefeuille, Self-government Manager;



MINUTES OF PROCEEDINGS

Meeting No. 41

Monday, March 17, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 8:58 a.m. this day, in the E Dome, Cambrian College, Sudbury, Ontario, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Pat Martin and Anita Neville.

Acting Member present: Reed Elley for Brian Pallister.

In attendance: From the Committee's Branch: Marc-Olivier Girard, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Anishinabek Nation: Nelson Toulouse, Deputy Grand Council Chief; Fred Bellefeuille, Self Government Manager. *From the Batchewana First Nation:* Chief Vernon Syrette; Margaret Lesage, Band Manager. *From the Whitefish Lake First Nation:* Chief Gail Shawbonquit. *From the Moose Cree First Nation:* Chief Norman Hardisty; Dave Fletcher, Advisor to the Chief. *From the M'Chigeeng First Nation:* Alan Corbiere, Research Coordinator; Joe Hare, Councillor; Lewis Debassige, Governance Committee; Daughness Migwans, Councillor; Donna Debassige, Councillor.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 11:25 a.m., Stan Dromisky took the Chair.

At 11:28 a.m., Raymond Bonin took the Chair.

At 12:11 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 42

Monday, March 17, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Anglican Church of Canada:

The Right Reverend Caleb Lawrence, Bishop of Moosonee.

Laurentian University:

André Émond, Qualified Professor.

North Shore Tribal Council:

Earl Commanda, Chief; Chairman, Serpent River First Nation.

United Chiefs and Councils of Manitoulin:

Terry Debassige, Member, M'Chigeeng First Nation;

Patrick Madahbee Chief, Aundeck Omni Kaning;

Franklin Paibomsai, Whitefish River First Nation.

As Individuals:

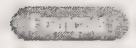
John M. Corbière;

Connie A. Couchie;

Anna McLeod;

Esther Osche;

Eva Pitt.



MINUTES OF PROCEEDINGS

Meeting No. 42

Monday, March 17, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 12:34 p.m. this day, in the E Dome, Cambrian College, Sudbury, Ontario, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Pat Martin, Anita Neville.

Acting Members present: Reed Elley for Brian Pallister.

In attendance: From the Committees Branch: Marc-Olivier Girard, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the North Shore Tribal Council: Chief Earl Commanda, Chairman, Serpent River First Nation; Harvey Trudeau. *From Laurentian University:* André Émond, Qualified Professor. *From the United Chiefs and Councils of Manitoulin:* Chief Franklin Paibomsai, Whitefish River First Nation; Chief Patrick Madahbee, Aundeck Omni Kaning; Terry Debassige, Member, M'Chigeeng First Nation; Gordon Waindubence, Elder. *From the Anglican Church of Canada:* Caleb J. Lawrence, Bishop of Moosonee. *As Individuals:* John M. Corbière; Connie A. Couchie; Anna P. MacLeod; Eva Pitt; Esther Osche.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 3:25 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

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on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 43

Tuesday, March 18, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Indian Council of First Nations of Manitoba:

Chief Murray Campbell, Northern Cree First Nation;

Chief Leonard Chartrand, Shingibis First Nation;

Grand Chief Andrew Kirkness;

Richard Long, Technician.

Manitoba Keewatinowi Okimakanak Inc.:

Michael Anderson, Research Director;

Grand Chief Francis Flett.

Opaskwayak Cree Nation:

D. G. Valdron, In-House Legal Counsel;

Chief Frank Whitehead.

Pimicikamak Okimawin:

Thomas Monias, Secretary to the Councils;

Vice-Chief William Osborne, Executive Council Member.

Tatasweyak Cree Nation:

Chief Norman Flett.

As Individuals:

Maggie Balfour, Norway House Band;

Keith Fortin;

Charlene Lafreniere;

Lloyd Martin;

Leona Massan;

Angela Monias;

Diane Rogers.

MINUTES OF PROCEEDINGS

Meeting No. 43

Tuesday, March 18, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 8:59 a.m. this day, at the St. Joseph Hall, Thompson, Manitoba, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, Charles Hubbard, John Godfrey, Pat Martin, Anita Neville.

Attending Member present: Reed Elley for Brian Pallister

Other Member present: Bev Desjarlais.

Attendance: From the Committees Directorate: Marc-Olivier Girard, Committee Clerk.

Attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Indian Council of First Nations of Manitoba: Grand Chief Andrew Kirkness; Chief Murray Campbell, Northern Cree First Nation; Chief Leonard Chartrand, Shingibis First Nation; Richard Long, Technician; Vice Chief Glenn McIvor; Gilbert Munroe, Representative for Grand Rapids. *From Manitoba Keewatinowicecimakanak Inc.:* Grand Chief Francis Flett; Michael Anderson, Research Director. *From the Tatasweyak Cree Nation:* Chief Norman Flett. *From Pimicikamak Okimawin:* Thomas Monias, Secretary to the Councils; Vice Chief William Osborne, Executive Council Member. *From the Opaskwayak Cree Nation:* Chief Frank Whitehead; D. G. Aldron, OCN In-House Legal Counsel. *As Individuals:* Keith Fortin; Maggie Balfour, Norway House Band; Angela Monias; Lloyd Martin; Leona Massan; Charlene Lafreniere.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 12:56 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

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on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 44

Wednesday, March 19, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Assembly of First Nations, Manitoba:

Kenneth Young, Vice-Chief.

Brokenhead Ojibway Nation:

Paul Chief, Councillor.

Interlake Reserves Tribal Council Inc:

Joe Anderson, Executive Director;

Jerry Marsden, Chief;

Garnet Woodhouse, Chief.

Long Plain First Nations:

Dennis Meeches, Chief.

Mennonite Central Committee Canada:

Rick Cornelsen, Program Coordinator, Aboriginal Neighbours;

Mr. Donovan Jacobs, Member, Advisory Committee, Aboriginal Neighbours.

Sandy Bay First Nation:

Raymod Beaulieu, Councillor.

Sogkeeng First Nations:

Joseph Daniels, Councillor.

Southern Chiefs' Organization:

Margaret Swan, Grand Chief.

Swampy Cree Tribal Council:

Philip Buck, Chief;

Frank Turner, Executive Director.

Treaty One First Nations:

Jerry Fontaine, Chief, Treaty One Protection and Implementation Office.

As Individuals:

Jean Allard;

Alan Isfeld, Waywayseecappo Band Member;

Corena Letandre;

Gerald McIvor;

Glen Monkman;

Lisa Shewchook.



MINUTES OF PROCEEDINGS

Meeting No. 44

Wednesday, March 19, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 8:06 a.m. this day, in the Concert Room, Fort Garry Hotel, Winnipeg, Manitoba, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin, Anita Neville, Brian Pallister.

Other Member present: Reed Elley.

In attendance: From the Committees Directorate: Marc-Olivier Girard, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Swampy Cree Tribal Council: Frank Turner, Executive Director; Chief Phillip Buck; Brad Regehr, Legal Counsel; Maria Moore, Council Member. *As Individuals:* Jean Allard; Alan Isfeld, Waywayseecappo Band Member. *From the Southern Chiefs' Organization:* Grand Chief Margaret Swan. *From the Interlake Reserves Tribal Council Inc.:* Joe M. Anderson, Executive Director; Chief Garnet Woodhouse; Chief Jerry Marsden; Chief Florence McLean. *From the Treaty One First Nations:* Jerry Fontaine, Treaty One Protection and Implementation Office; Kenneth Young, Manitoba Regional Chief, Assembly of First Nations; Joseph Daniels, Sagkeeng First Nation; Chief Denny Meeches, Long Plain First Nation; Raymond Beaulieu, Sandy Bay, Manitoba; Paul Chief, Councillor, Brokenhead Ojibway Nation. *From the Mennonite Central Committee Canada:* Rick Zerbe Cornelsen, Aboriginal Neighbours Program Coordinator; Donovan Jacobs, Member, MCC Manitoba Aboriginal Neighbours Advisory Committee. *As Individuals:* Gerald McIvor; Lisa Shewchuck; Glen Monkman.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 12:06 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

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on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 45

Wednesday, March 19, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

First Nations Accountability Coalition:

Leona Freed.

Keeseekoowenin Ojibway First Nation, Treaty No. 2 - The Riding Mountain Band:

Chief Dwayne Blackbird.

National Council of Women of Canada:

Muriel Smith, Convener, International Affairs.

Norway House Cree Nation:

Marcel Balfour, Councillor, Chief and Council Office.

Peguis Indian Band:

Chief Louis J. Stevenson.

Provincial Council of Women of Manitoba, Inc:

Elizabeth Fleming, Vice-President.

As Individuals:

Caroline Bruyere, Elder, Sagkeeng First Nation;

Lorena Fontaine;

Donovan Jacobs;

Corena Letandre;

Priscilla Levasseur;

Chief Tina Leveque;

Edwin Mitchell;

Dennis Pashe;

Marjorie Prince;

Frances Ravinsky;

Gisèle Saurette-Roch;

Jim Sinclair, Reverend;

Glenice Smith, Roseau River;

James Wastasecoot;

Grand Chief Dennis White Bird.



MINUTES OF PROCEEDINGS

Meeting No. 45

Wednesday, March 19, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 12:46 p.m. this day, in the Concert Room, Fort Garry Hotel, Winnipeg, Manitoba, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin, Anita Neville, Brian Pallister.

In attendance: From the Committees Branch: Marc-Olivier Girard, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Provincial Council of Women of Manitoba, Inc.: Elizabeth Fleming, Vice-President. *From the Keeseekoowenin Ojibway First Nation, Treaty No. 2 - The Riding Mountain Band:* Dwayne Blackbird. *From the Peguis Indian Band:* Louis J. Stevenson; Lloyd W. Stevenson, Band advisor. *From the First Nations Accountability Coalition:* Leona Freed; Inez Mousseau; Sonia Scott. *As Individuals:* Edwin Mitchell; Lorena Fontaine; Caroline L. Bruyere, Elder, Sagkeeng First Nation; Glenice Smith, Roseau River. *From the National Council of Women of Canada:* Muriel Smith, International Affairs Convener. *As Individuals:* James Wastasecoot; Chief Tina Leveque; Grand Chief Dennis White Bird; Dennis Pashe. *From the Norway House Cree Nation:* Marcel Balfour, Councillor, Chief and Council Office; Eric Apetagon, Councillor. *As Individuals:* Gisèle Saurette-Roch; Corena Letandre; Priscilla Levasseur; Frances Ravinsky; Marjorie Prince.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 3:27 p.m., the sitting was suspended.

At 3:30 p.m., the sitting resumed.

At 3:31 p.m., the sitting was suspended.

At 3:34 p.m., the sitting resumed.

At 4:29 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 46

Thursday, March 20, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Chiefs of Ontario:

Grand Chief Charles Fox, Ontario Regional Chief;
Grand Chief Christopher McCormick;
Chief Peter Quill.

Grand Council Treaty No. 3:

Grand Chief Leon Jourdain.

Matawa First Nations:

Stanley Bois, Councillor, Eabametoong First Nation;
Bentley Cheechoo, Tribal Chair;
Chief Sonny Gagnon, Aroland First Nation;
Chief Arthur Moore, Constance Lake First Nation;
Chief Roger Oshkineegish, Nibinamik First Nation;
Chief Gordon Wabasse, Webequie First Nation;
Chief Veronica Waboose, Long Lake #58 First Nation.

Nishnawbe Aski Nation:

Grand Chief Stan Beardy;

Alanna McKenzie, NAN-Canada Bilateral Protocol Coordinator;

Grace Teskey.

As Individuals:

Chief Paul Gladu, Sand Point First Nation;

Geri Gray;

Chief Wilfred King, Gull Bay First Nation;

Chief Theron McCrady, Poplar Point Ojibways First Nation;

Tom Wassaykeesic.



MINUTES OF PROCEEDINGS

Meeting No. 46

Thursday, March 20, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 8:00 a.m. this day, in the Prince Arthur Hotel, Provincial Room, Thunder Bay, Ontario, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin, Anita Neville, Maurice Vellacott.

Other Member present: Rick Laliberté.

In attendance: From the Committees Branch: Marc-Olivier Girard, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Chiefs of Ontario: Charles Fox, Regional Vice-Chief; Peter Quill; Christopher McCormick; Michael Sherry. *From the Grand Council Treaty No. 3:* Leon Jourdain; Chief Alan White, Elder; Chief Simon Fobister; Chief Larry Henry; Chief Tom Favel; Chief Erwin Redsky; Kathy Sky; Joanne Bruyere; Catherine Bruyere. *From the Matawa First Nations:* Bentley Cheechoo, Tribal Chair; Veronica Waboose, Chief, Long Lake #58 First Nation; Stanley Bois, Councillor, Eabametoong First Nation; Sonny Gagnon, Chief, Aroland First Nation; Roger Oshkineegish, Chief, Nibinamik First Nation; Arthur Moore, Chief, Constance Lake First Nation; Gordon Wabasse, Chief, Webequie First Nation. *From the Nishnawbe Aski Nation:* Stan Beardy; Alanna McKenzie; Jeremiah McKay, Elder; Grace Teskey; Bentley Cheechoo; Chief Ronald Roundhead; Kirk Baxter. *As Individuals:* Tom Wassaykeesic; Geri Gray; Chief Wilfred King, Gull Bay First Nation; Chief Theron McCready, Poplar Point Ojibways First Nation; Chief Paul Gladu, Sand Point First Nation.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

At 8:00 a.m., the sitting was suspended.

At 8:03 a.m., the sitting resumed.

The witnesses made statements and answered questions.

At 12:20 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 47

Thursday, March 20, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Windigo First Nations Council:

Wallace McKay, Chair and Chief Executive Officer.

Wunnumin Lake First Nation:

Charley Bighead;

Chief Dean Cromarty.

As Individual:

Chief Dwight Sutherland.



MINUTES OF PROCEEDINGS

Meeting No. 47

Thursday, March 20, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 1:07 p.m. this day, in the Provincial Room, Prince Arthur Hotel, Thunder Bay, Ontario, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin, Anita Neville, Maurice Vellacott.

Other Member present: Rick Laliberté.

In attendance: From the Committees Directorate: Marc-Olivier Girard, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Windigo First Nations Council: Wallace McKay, Chair/CEO. *From the Wunnumin Lake First Nation:* Chief Dean Cromarty; Charley Bighead; Tom Shawinimash; Vernon Gliddy; Clifford Mamakwa. *As an Individual:* Dwight Sutherland, Taykwa Tagamow Nation.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 2:24 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

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**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 48

Thursday, March 20, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Anglican Church of Canada:

Jim Boyles, Archdeacon, General Secretary.

Quaker Aboriginal Affairs Committee:

Lorraine Land, Associate, Past National Chair of the Aboriginal Rights Coalition, Articling Lawyer, Klippensteins, Barristers and Solicitors;

Jennifer Preston Howe, Programme Associate.

United Church of Canada:

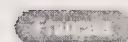
Anne Miller, Reverend; Speaker for the All Native Circle Conference;

Choice Okoro, Program Officer, Human Rights and Reconciliation Initiatives;

Jim Sinclair, Reverend; General Secretary, General Council Offices.

York University:

Fred Lazar, Economist, Schulich School of Business.



MINUTES OF PROCEEDINGS

Meeting No. 48

Thursday, March 20, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 7:58 p.m. this day, in the Ballroom of the Radisson Plaza Hotel Admiral, Toronto, Ontario, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin.

Other Member present: Rick Laliberté.

In attendance: From the Committees Branch: Marc-Olivier Girard, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Anglican Church of Canada: Jim Boyles, Archdeacon, General Secretary. *From the United Church of Canada:* Rev. Anne Miller, Speaker for the All Native Circle Conference; Rev. Jim Sinclair, General Secretary, General Council Offices; Choice U. Okoro, Program Officer, Human Rights and Reconciliation Initiatives. *From the Quaker Aboriginal Affairs Committee:* Lorraine Land, Associate, Past National Chair of the Aboriginal Rights Coalition, Articling Lawyer, Klippensteins, Barristers and Solicitors; Jennifer Preston Howe, Programme Associate. *From York University:* Fred Lazar, Economist, Schulich School of Business.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 9:27 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

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on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 49

Friday, March 21, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Association of Iroquois and Allied Indians:

Grand Chief Chris McCormick.

Kitamaat Village Council:

Chief Steve Wilson, Kitamaat Band of Indians.

London District Chiefs Council:

Chief Phil Maness, Aamjiwnaang First Nation;

Martin Powless, Technical Adviser.

Mohawks of the Bay of Quinte:

Grand Chief R. Donald Maracle.

Oneida Nation of the Thames:

Chief Terry Doxtator.

Six Nations of the Grand River:

Chief Roberta Jamieson.

As Individuals:

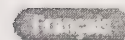
Christine Claus;

Ken Marchant, Lawyer, The Marchant Practice;

Marlene Martin;

Arthur Stark, Editor & Publisher, TANSI;

Kim Thomas.



MINUTES OF PROCEEDINGS

Meeting No. 49

Friday, March 21, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 8:12 a.m. this day, in the Ballroom of the Radisson Plaza Hotel Admiral, Toronto, Ontario, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin.

Other Member present: Rick Laliberté.

In attendance: From the Committees Branch: Marc-Olivier Girard, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: As an Individual: Arthur Dennis Stark, Editor & Publisher, TANSI. *From the Kitamaat Village Council:* Steve C. Wilson, Kitamaat Band of Indians. *As an Individual:* Ken Marchant, Lawyer, The Marchant Practice. *From the Association of Iroquois and Allied Indians:* Chris McCormick. *From the London District Chiefs Council:* Phil Maness, Aamjiwnaang First Nation; Martin Powless, Technical Advisor. *From the Mohawks of the Bay of Quinte:* R. Donald Maracle; Christine Claus, Councillor; Lorraine Hill, Elder; Keitha Barberstock, Elder; Connie Perron; Chris McCormick. *As Individuals:* Marlene Martin; Christine Claus. *From the Oneida Nation of The Thames:* Terry Doxtator; Chief Rolanda Elija; Kim Thomas; Randy Phillips. *From the Six Nations of the Grand River:* Chief Roberta Jamieson; Josephine Harris, Elder; Joey Martin, Youth Representative.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

At 8:12 a.m., the sitting was suspended.

At 8:15 a.m., the sitting resumed.

The witnesses made statements and answered questions.

At 8:28 a.m., the sitting was suspended.

At 8:31 a.m., the sitting resumed.

At 12:17 p.m., the Committee adjourned to the call of the Chair.

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 50

Friday, March 21, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Aboriginal Peoples Council of Toronto:

Jackie Mc Clure;

Sharon Menow, Member;

Roger Obonsawin, Chair.

Aboriginal Urban Alliance of Ontario:

Michael Cheena;

Donna Marshall.

Indigenous Bar Association:

Mark Stevenson, President.

As Individuals:

Merie Rita Anderson;

Tim Brown;

Kevin Daniels;

Ava Hill, Member of the Six Nations of the Grand River;

Ethel Lavalley;

Patrick Lavalley;

Audrey Logan;

Philip Monture, Member of the Six Nations of the Grand River;

Luke Nicholas;

Deborah Richardson;

Dean Sayers;

Amber Silversmith;

Dan Smoke;

Mary Lou Smoke;

Lisa Thundercloud;

Rebeka Tabobondung.

MINUTES OF PROCEEDINGS

Meeting No. 50

Monday, March 21, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 1:02 p.m. this day, in the Ballroom, Radisson Plaza Hotel Admiral, Toronto, Ontario, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin.

Guest Member present: Rick Laliberté.

Attendance: From the Committees Branch: Marc-Olivier Girard, Committee Clerk.

Attendance: From the Library of Parliament: Mary Hurley, Analyst.

Guests: *From the Aboriginal Peoples Council of Toronto:* Roger Obonsawin, Chair; Sharon Menow, Member; Mike McClure. *From the Aboriginal Urban Alliance of Ontario:* Michael Cheena; Donna Marshall. *From the Indigenous Bar Association:* Mark Stevenson, President. *As Individuals:* Ava Hill, Member of the Six Nations of the Grand River; Philip Monture, Member of the Six Nations of the Grand River; Audrey Logan; Rebeka Tabobondung; Mary Lou Smoke; Mary Lou Smoke; Ethel Lavalley; Deborah Richardson; Amber Silversmith; Tim Brown; Dean Sayers; Rick Lavalley; Rosie Mosquito; Kevin Daniels; Luke Nicholas; Lisa Thundercloud; John Bigeye; Merie Rita Anderson.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, an Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 3:50 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 51

Monday, March 24, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Assembly of First Nations of Nova Scotia and Newfoundland:

Vice-Chief Rick Simon, Regional Chief.

Atlantic Policy Congress of First Nation Chiefs:

John Paul, Executive Director;

Chief Lawrence Paul, Co-Chair.

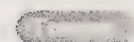
Confederacy of Mainland Mi'kmaq:

Janice Marie Maloney, Director, Statutory Requirements and Governance.

Native Council of Nova Scotia:

Chief Grace Conrad, President;

Tim Martin, Member of the Board of Directors.



MINUTES OF PROCEEDINGS

Meeting No. 51

Monday, March 24, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 7:58 a.m. this day, in the Highland Room 6 & 7, World Trade and Convention Centre, Halifax, Nova Scotia, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin.

Acting Member present: Larry Bagnell for John Godfrey.

In attendance: From the Committees Branch: José Cadorette, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Assembly of First Nations of Nova Scotia and Newfoundland: Vice-Chief Rick Simon. *From the Atlantic Policy Congress of First Nation Chiefs:* Chief Lawrence Paul, Co-Chair, Millbrook First Nation. *From the Atlantic Policy Congress of First Nation Chiefs Secretariat Inc.:* John G. Paul, Executive Director. *From the Confederacy of Mainland Micmacs:* Janice Marie Maloney, Director, Statutory Requirements and Governance. *From the Native Council of Nova Scotia:* Grace Conrad, President; Tim Martin, Member of the Board of Directors.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 10:26 a.m., the sitting was suspended.

At 10:51 a.m., the sitting resumed.

At 11:48 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 52

Monday, March 24, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Abegweit First Nation:

Cheryl Clark, Director of Administration & Operations;

Chief Francis Jadis.

Federation of Newfoundland Indians:

Brendan Sheppard, President.

Lennox Island First Nation:

Chief Darlene Bernard.

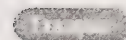
Maritime Aboriginal Peoples Council:

Roger Hunka, Director, Intergovernmental Affairs.

As Individual:

Noel Knockwood;

Sue Moxley.



MINUTES OF PROCEEDINGS

Meeting No. 52

Monday, March 24, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 12:48 p.m. this day, in the Highland Room 6 & 7, World Trade and Convention Centre, Halifax, Nova Scotia, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin.

Acting Member present: Larry Bagnell for John Godfrey.

In attendance: From the Committees Branch: José Cadorette, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Maritime Aboriginal Peoples Council: Roger Hunka, Director, Intergovernmental Affairs. *From the Federation of Newfoundland Indians:* Brendan Sheppard, President. *As Individuals:* Noel Knockwood; Sue Moxley. *From Lennox Island First Nation:* Darlene Bernard. *From the Abegweit First Nation:* Francis Jadis; Cheryl Clark, Director of Administration & Operations.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 1:35 p.m., Nancy Karetak-Lindell took the Chair.

At 1:40 p.m., Raymond Bonin took the Chair.

At 2:09 p.m., the sitting was suspended.

At 3:00 p.m., the sitting resumed.

At 3:18 p.m., the sitting was suspended.

At 3:54 p.m., the sitting resumed.

At 4:28 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

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on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 53

Tuesday, March 25, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Aboriginal Rights Coalition - Atlantic:

Chief Jeff Tomah, Woodstock First Nation;

Terry Young.

Lnapskuk - The Neighbours Project:

Margaret Tusz-King, Animator.

Mawiw Council of First Nations:

Brian Bartibogue;

Ronald Gaffney.

New Brunswick Aboriginal Peoples Council:

Gary Gould, Treaty and Land Claims Advisor;

Chief Betty Ann LaVallée, CD, President.

Wabanaki Nations Cultural Resource Centre:

gkisedtanamoogk, Principal Executive.

As Individuals:

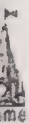
Christine Augustine;

Rick Hatchette;

Hart Perley;

Juanita Perley;

Bruce Simon, Member of the Aboriginal Individual Rights Organization.



MINUTES OF PROCEEDINGS

Meeting No. 53

Tuesday, March 25, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:02 a.m. this day, in the Saint John Ballroom, Lord Beaverbrook Hotel, Fredericton, New Brunswick, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin, Maurice Bellacott.

Attending Member present: Larry Bagnell for John Godfrey.

Attendance: From the Committees Branch: José Cadorette, Committee Clerk.

Attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the New Brunswick Aboriginal Peoples Council: Betty Ann LaVallée, CD, President, Aboriginal Peoples Council; Gary Gould, Treaty and Land Claims Advisor. *From the Mawiw Council of First Nations:* Ronald Gaffney; Brian Bartibogue. *As Individuals:* Christine Augustine; Bruce Simon, Member of the Aboriginal Individual Rights Organization. *From Lnapskuk - The Neighbours Project:* Margaret Tusz-King, Animator. *From the Wabanaki Nations Cultural Resource Centre:* gkisedtanamoogk, Principal Executive. *From the Aboriginal Rights Coalition - Atlantic:* Trudy Watts, Co-Chair; Terry Young; Chief Jeff Tomah, Woodstock First Nation; Terry Jacques, Tobique First Nation; Alma Brooks. *As Individuals:* Hart Perley; Juanita Perley; Rick Hatchette.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, an Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 11:31 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

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on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 54

Tuesday, March 25, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

"Barreau du Québec":

Carole Brosseau, Lawyer, Research and Legislation;

Renée Dupuis, Lawyer.

Native Alliance of Quebec:

Mr. Patrick Brazeau, Congress of Aboriginal Peoples.

Grand Chief Fernand Chalifoux, President

Quebec Native Women Inc.:

Michèle Audette, President;

Merilda St-Onge.

As Individual:

Ellen Gabriel.



MINUTES OF PROCEEDINGS

Meeting No. 54

Tuesday, March 25, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 4:58 p.m. this day, in the Regency A Ballroom, Delta Centre-Ville, Montreal, Quebec, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin.

Acting Member present: Larry Bagnell for John Godfrey.

In attendance: From the Committees Branch: José Cadorette, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Native Alliance of Quebec: Fernand Chalifoux, President; Patrick Brazeau, Congress of Aboriginal Peoples. *From the Quebec Native Women Inc.:* Michèle Audette, President; Merilda St-Onge; Ellen Gabriel; Monique Larivière. *From the "Barreau du Québec":* Carole Brosseau, Lawyer, Research and Legislation; Renée Dupuis, Lawyer.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 7:49 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

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on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 55

Wednesday, March 26, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Abenaki First Nation of Odanak:

Chief Gilles O'Bomsawin.

Assembly of First Nations of Quebec and Labrador:

Vice-Chief Ghislain Picard, Regional Chief.

Atikamekw Nation Council:

Grand Chief Ernest Awashish;

Benoît Tremblay, Representative, Atikamekw Nation Council.

Malecite First Nation of Viger:

Grand Chief Anne Archambault.

Mohawk/Canada Roundtable:

Steve Bonsfield;

Kawennaro:Roks;

Billy Two Rivers, Elder, Kahnawake;

Thonsahkotha;

Grand Chief Joseph Tokwiro Norton.

Mohawk Council of Akwesasne:

Micha Menczer, Legal Counsel;

Grand Chief Raymond Mitchell;

Russell Round Point, National Building Coordinator.

Mohawk Council of Kahnawake:

Grand Chief Joseph Tokwiro Norton.

Sept-Îles and Maliotenam Innu Council:

Chief Rosario Pinette.

As Individual:

Hon. Warren Allmand, Former Minister of Indian Affairs.



MINUTES OF PROCEEDINGS

Meeting No. 55

Wednesday, March 26, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 8:02 a.m. this day, in the Regence A Ballroom, Delta Centre-Ville, Montreal, Quebec, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Maurice Vellacott.

Acting Member present: Larry Bagnell for John Godfrey.

In attendance: From the Committees Branch: José Cadorette, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Secretariat of the Assembly of the First Nations of Quebec and Labrador: Ghislain Picard, Regional Chief; Chief Marcel Lalo; Chief Anne Archambault; Chief Jean-Charles Pietacho; Chief Gilles O'Bomsawin. *From the "Conseil de la nation Atikamekw":* Ernest Awashish; Benoît Tremblay; Hélène Dubé. *From the Mohawk/ Canada Roundtable:* Steve Bonspiel, Acting Grand Chief, Kaneshatke; Billy Two Rivers, Elder; Kawennaro:Roks; Thonsahkotha; Grand Chief Raymond Mitchell, Akwesasne; Grand Chief Joseph Tokwiro Norton, Kahnawake. *From the Abenaki First Nation of Odanak:* Chief Gilles O'Bomsawin. *As an Individual:* Hon. Warren Allmand, Former Minister of Indian Affairs and Northern Development. *From the Mohawk Council of Kahnawake:* Grand Chief Joseph Tokwiro Norton, Mohawk/Canada Roundtable; Billy Two Rivers, Elder. *From the Mohawk Council of Akwesasne:* Grand Chief Raymond Mitchell; Russell Roundpoint; Micha Menczer, Legal Counsel. *From the "Conseil des Innus de Sept-Îles et de Maliotenam":* Chief Rosario Pinette; Konrad Sioui; David Schulze; Lysane Cree.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 8:02 a.m., the sitting was suspended.

At 8:05 a.m., the sitting resumed.

At 1:01 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

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on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 56

Thursday, March 27, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

APPEARING:

Charles Hubbard, Parliamentary Secretary to the Minister of Indian Affairs and Northern Development

WITNESSES:

Department of Indian Affairs and Northern Development:

Andrew Beynon, General Counsel;

Brenda Kustra, Executive Advisor;

Paul Salembier, Senior Counsel.



MINUTES OF PROCEEDINGS

Meeting No. 56

Thursday, March 27, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met *in camera* at 9:31 a.m. this day, in Room 269, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin, Julian Reed, Maurice Vellacott.

Acting Members present: John Finlay for Anita Neville, Beth Phinney for Benoît Serré, Benoît Sauvageau for Serge Cardin, Paul Crête for Yvan Loubier.

In attendance: From the Committees Branch: Jeffrey LeBlanc, Legislative Clerk; Rémi Bourgault, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Department of Indian Affairs and Northern Development: Andrew Beynon, General Counsel; Brenda Kustra, Executive Advisor; Paul Salembier, Senior Counsel.

At 9:31 a.m., the sitting was suspended.

At 9:36 a.m., the sitting resumed.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

At 10:00 a.m., the Committee commenced the Clause-by-Clause consideration of the Bill.

The witnesses answered questions.

At 11:44 a.m., the sitting was suspended.

At 11:53 a.m., the sitting resumed *in camera* for the discussion of its future business.

At 1:34 p.m., the sitting was suspended.

And, the attention of the Chair being drawn to the lack of quorum, at 1:36 p.m. the Chair declared the Committee adjourned for the lack of quorum.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

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on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 57

Monday, March 31, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Algonquin Anishinabeg Nation Tribal Council:

Grand Chief Jimmy Hunter.

Algonquin Nation Secretariat:

Grand Chief Carol McBride.

Eagle Village First Nation - Kipawa:

Chief Lance Haymond.

Kitcisakik Anicinape Community:

Chief James Papatie.

Long Point First Nation:

Chief Steeve Mathias.

Wolf Lake First Nation:

Chief Harry St-Denis.

As Individuals:

Edouard Kistabish;

Daniel Pien;

Albert Tenasco;

Lucien Wabanonik.

MINUTES OF PROCEEDINGS

Meeting No. 57

Monday, March 31, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:24 a.m. this day in the Forestel Hotel, Val d'Or, Quebec, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, Charles Hubbard, Yvan Loubier, Maurice Macdonald.

Attendance: From the Committees Branch: Bibiane Ouellette, Committee Clerk.

Attendance: From the Library of Parliament: Mary Hurley, Analyst.

Guests: From the Algonquin Nation Secretariat: Grand Chief Carol McBride. From the Algonquin Anishinabeg Tribal Council: Grand Chief Jimmy Hunter. From Long Point First Nation: Chief Steeve Mathias. From the Keweenaw First Nation - Kipawa: Chief Lance Haymond. From the Kitcisakik Anicinape Community: Chief James Macdonald. From Wolf Lake First Nation: Chief Harry St-Denis. As *Individuals*: Daniel Pien; Edouard Kistabish; Lucien Macdonald; Albert Tenasco.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The witnesses made statements and answered questions.

At 2:56 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

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**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 58

Tuesday, April 1, 2003

IN CAMERA



MINUTES OF PROCEEDINGS

Meeting No. 58

Tuesday, April 1st, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met *in camera* at 9:00 a.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Stan Dromisky, Charles Hubbard, Yvan Loubier, Pat Martin, Anita Neville, Maurice Vellacott.

Acting Members present: Alan Tonks for Benoît Serré, Peter Adams for John Godfrey, Larry Bagnell for Nancy Karetak-Lindell, Sue Barnes for Nancy Karetak-Lindell, Raymond Simard for Julian Reed, Raymond Simard for Nancy Karetak-Lindell, John Finlay for Nancy Karetak-Lindell, Jacques Saada for Julian Reed, John Bryden for John Godfrey, John O'Reilly for Anita Neville, Geoff Regan for Nancy Karetak-Lindell, Roy Cullen for Anita Neville, Roy Cullen for Nancy Karetak-Lindell, Mark Eyking for Julian Reed, David Price for Benoît Serré, Steve Mahoney for Nancy Karetak-Lindell, Shawn Murphy for Anita Neville, Alan Tonks for Stan Dromisky, John Finlay for Nancy Karetak-Lindell, Alan Tonks for Benoît Serré, Claude Bachand for Serge Cardin, Sue Barnes for John Godfrey, Murray Calder for Anita Neville, Murray Calder for Benoît Serré, Alan Tonks for John Godfrey, John Finlay for Benoît Serré, Geoff Regan for Stan Dromisky, Marlene Catterall for Julian Reed.

In attendance: From the Committees Branch: Susan Balwin, Jeremy LeBlanc, Legislative Clerks; Diane Diotte, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

The Committee proceeded to the consideration of its future business.

At 9:00 a.m., the sitting was suspended.

At 9:14 a.m., the sitting resumed.

At 9:19 a.m., a lack of quorum being indicated, the sitting was suspended.

At 9:34 a.m., the sitting resumed.

At 11:11 a.m., a lack of quorum being indicated, the sitting was suspended.

At 11:26 a.m., the sitting resumed.

At 11:27 a.m., a lack of quorum being indicated, the sitting was suspended.

At 11:29 a.m., the sitting resumed.

At 12:10 p.m., a lack of quorum being indicated, the sitting was suspended.

At 12:14 p.m., the sitting resumed.

At 12:43 p.m., a lack of quorum being indicated, the sitting was suspended.

At 12:45 p.m., the sitting resumed.

At 1:55 p.m., a lack of quorum being indicated, the sitting was suspended.

At 2:20 p.m., the sitting resumed.

At 2:58 p.m., the sitting was suspended.

At 3:30 p.m., the sitting resumed.

At 3:55 p.m., a lack of quorum being indicated, the sitting was suspended.

At 4:03 p.m., the sitting resumed.

At 5:11 p.m., a lack of quorum being indicated, the sitting was suspended.

At 5:12 p.m., the sitting resumed.

At 6:05 p.m., a lack of quorum being indicated, the sitting was suspended.

At 6:10 p.m., the sitting resumed.

At 6:26 p.m., a lack of quorum being indicated, the sitting was suspended.

At 6:40 p.m., the sitting resumed.

At 6:54 p.m., a lack of quorum being indicated, the sitting was suspended.

At 6:58 p.m., the sitting resumed.

At 7:02 p.m., a lack of quorum being indicated, the sitting was suspended.

At 7:10 p.m., the sitting resumed.

At 7:22 p.m., a lack of quorum being indicated, the sitting was suspended.

At 7:22 p.m., the sitting resumed.

At 8:45 p.m., a lack of quorum being indicated, the sitting was suspended.

At 8:54 p.m., the sitting resumed.

At 8:57 p.m., a lack of quorum being indicated, the sitting was suspended.

At 9:03 p.m., the sitting resumed.

At 9:04 p.m., a lack of quorum being indicated, the sitting was suspended.

At 9:05 p.m., the sitting resumed.

At 9:10 p.m., a lack of quorum being indicated, the sitting was suspended.

At 9:17 p.m., the sitting resumed.

At 9:20 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 59

Wednesday, April 2, 2003

ORDER OF THE DAY:

Future business



MINUTES OF PROCEEDINGS

Meeting No. 59

Wednesday, April 2, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met *in camera* at 3:51 p.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed.

Acting Members present: Carmen Provenzano for Benoît Serré; Judi Longfield for John Godfrey; Dale Johnson for Maurice Vellacott; Garry Lunn for Brian Pallister; David Price for Julian Reed; Massimo Pacetti for Charles Hubbard; Massimo Pacetti for Anita Neville; Sue Barnes for Benoît Serré; Derek Lee for Julian Reed.

In attendance: From the Committees Branch: Stephen Knowles, Committee Clerk; Jeffrey LeBlanc, Legislative Clerk.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

The Committee proceeded to the consideration of its future business.

Debate resumed on the following motion – That, in the study of any business before the Committee, the discussion of each clause and each amendment, sub-amendment, or any other motion be limited to a ten minute introduction by the mover, followed by a single opportunity for each member of the Committee to discuss the clause, amendment, sub-amendment or any other motion for a maximum of 10 minutes, after which time the mover may answer questions raised for a further maximum of 10 minutes and that the vote then be taken.

Further, the Committee may, at the request of a member, allow for that member to speak for longer than the allotted 10 minutes by a vote of the majority of the members of the Committee.

It was moved – That the question now be put.

The Chair ruled that the proposed motion was out of order.

Whereupon, the decision of the Chair was appealed.

The question: “Shall the decision of the Chair be sustained?” was put and the decision was overturned.

At 4:01 p.m., a lack of quorum being indicated, the sitting was suspended.

At 4:08 p.m., the sitting resumed.

At 4:22 p.m., a lack of quorum being indicated, the sitting was suspended.

At 4:23 p.m., the sitting resumed.

At 6:18 p.m., a lack of quorum being indicated, the sitting was suspended.

At 6:33 p.m., the sitting resumed.

At 7:10 p.m., the Chair interrupted a member for engaging in repetitious debate.

Whereupon, the decision of the Chair was appealed.

The question: "Shall the decision of the Chair be sustained?" was put and the decision was sustained.

At 7:40 p.m., a lack of quorum being indicated, the sitting was suspended.

At 7:54 p.m., the sitting resumed.

At 9:26 p.m., a lack of quorum being indicated, the sitting was suspended.

At 9:27 p.m., the sitting resumed.

At 10:15 p.m., a lack of quorum being indicated, the sitting was suspended.

At 10:24 p.m., the sitting resumed.

At 10:25 p.m., a lack of quorum being indicated, the sitting was suspended.

At 10:39 p.m., the sitting resumed.

At 10:39 p.m., it was agreed – That the meeting be suspended to the call of the Chair.

At 10:59 p.m., the sitting resumed.

A point of order was raised asking the Chair to proceed to put the question.

The Chair agreed following ten (10) more minutes of debate.

Whereupon, the decision of the Chair was appealed.

The question: "Shall the decision of the Chair be sustained?" was put and the decision was sustained.

At 11:15 p.m., it was agreed – That the question now be put.

It was agreed – That, in the study of any business before the Committee, the discussion of each clause and each amendment, sub-amendment, or any other motion be limited to a ten minute introduction by the mover, followed by a single opportunity for each member of the Committee to discuss the clause, amendment, sub-amendment or any other motion for a maximum of 10 minutes, after which time the mover may answer questions raised for a further maximum of 10 minutes and that the vote then be

taken.

Further, the Committee may, at the request of a member, allow for that member to speak for longer than the allotted 10 minutes by a vote of the majority of the members of the Committee.

At 11:16 p.m., it was agreed – That the Committee proceed to sit in public.

Pat Martin moved – That the House of Commons Standing Committee on Aboriginal Affairs request the immediate release of any and all legal opinions that the Government of Canada has either developed or commissioned regarding whether any aspect of Bill C-7 infringes upon or derogates from any existing aboriginal or treaty rights, and whether Bill C-7 will have any affect or impact on the over two hundred plus outstanding court cases between First Nations and the government of Canada.

After debate, the question being put on the motion, it was negatived.

Pat Martin moved – That in light of the findings of the 2003 cross Canada hearings of the Standing Committee on Aboriginal Affairs I, Pat Martin move that this committee report back to the House of Commons a recommendation that Bill C-7 be withdrawn from the order paper and redrafted in consultation with representatives from the Assembly of First Nations.

After debate, the question being put on the motion, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Sue Barnes, Gerald Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Derek Lee, Judi Longfield, Massimo Pacetti (8)

Pat Martin moved – That the House of Commons Standing Committee on Aboriginal Affairs do not proceed with the study of Bill C-7 or Bill C-19 until an official Gender Based Analysis (GBA) of these Bills is completed, and presented to the committee. These Gendered Base Analyses are to be done in accordance to the Status of Women Canada guidelines which responds to provisions in documents such as the *Canadian Charter of Rights and Freedoms*, the *Federal Plan for Gender Equality*, and the *Canadian Human Rights Act*.

After debate, the question being put on the motion, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Sue Barnes, Gerard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Derek Lee, Judi Lonfield; Massimo Pacetti (8)

Charles Hubbard moved – That the following be adopted as the Committee's schedule for Bill C-7 and Bill C-19:

Friday, April 4, 2003: Amendments submitted to the Clerk by 5:00 p.m.

Monday, April 7, 2003: Amendments delivered to all Members' offices by 9:30 a.m.

Monday, April 7, 2003: Technical Briefing 7:00 p.m. (Room 104 Justice)

Tuesday, April 8, 2003: Clause by Clause

Wednesday, April 9, 2003: Clause by Clause

Thursday, April 10, 2003: Clause by Clause

Friday, April 11, 2003: Table Report to the House (Bill C-7)

BREAK WEEKS

Tuesday, April 29, 2003: C-19 in the a.m. and p.m.

Wednesday, April 30, 2003: C-19 in the p.m.

Thursday, May 1, 2003: C-19 in the a.m.

Tuesday, May 6, 2003: Clause by Clause (C-19)

Yvan Loubier moved – That notwithstanding Committee's decision allowing a member ten (10) minutes to discuss any item of business before it, that he be allowed to talk beyond the ten (10) minute deadline.

The question being put on the motion, it was negatived by a show of hands:

YEAS: 2

NAYS: 8

Yvan Loubier moved – That the motion be amended by striking out the words "Friday, April 4", and by substituting the following therefor: "Friday, April 11", and that other dates mentioned in the motion be changed consequentially.

The question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Girard Binet, Stan Dromisky, Charles Hubbard, Derek Lee, Nancy Karetak-Lindell, Judi Longfield, Massimo Pacetti (7)

After debate, the question being put on the motion, it was agreed to on the following recorded division:

YEAS: Gerard Binet, Stan Dromisky, Charles Hubbard, Derek Lee, Nancy Karetak-Lindell, Judi Longfield, Massimo Pacetti (7)

NAYS: Yvan Loubier, Pat Martin (2)

It was agreed – That working snacks ordered during the Committee's study of Bill C-7 be paid for from the Committee's budget.

It was agreed – That in relation to its study of Bill C-7, The First Nations Governance legislation, the committee retain the services of Jodie-Lynn Waddilove to summarize briefs at an hourly rate of \$ 20.00

per hour, not to exceed 200 hours and a total cost of \$4000.00 + GST.

At 1:59 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 60

Tuesday, April 8, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts



MINUTES OF PROCEEDINGS

Meeting No. 60

Tuesday, April 8, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:38 a.m. this day, in Room 308, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, David Chatters, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed, Maurice Vellacott.

Acting Members present: Alan Tonks for Gérard Binet; Beth Phinney for Benoît Serré; Reed Elley for Brian Pallister.

In attendance: From the Committees Branch: Susan Baldwin, Jeffrey LeBlanc, Legislative Clerks.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Andrew Beynon, General Counsel; Paul Salembier, Senior Counsel.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee proceeded to the Clause-by-Clause consideration of the Bill.

At 9:52 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 61

Tuesday, April 8, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Andrew Beynon, General Counsel;

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services.

Southern Chiefs' Organization:

Grand Chief Margaret Swan.

MINUTES OF PROCEEDINGS

Meeting No. 61

Tuesday, April 8, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 4:15 p.m. this day, in Room 308, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Maurice Vellacott.

Guest Members present: Marcel Proulx for Julian Reed, Alan Tonks for Benoît Serré.

Attendance: From the Committees Branch: Susan Baldwin, Jeffrey LeBlanc, Michael Lukyniuk, Legislative Services.

Attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Andrew Beynon, General Counsel; Paul Salembier, Senior Counsel.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee proceeded to Clause-by-Clause consideration of the Bill.

Pursuant to Standing Order 75(1), consideration of Clause 1 is postponed.

Clause 3

Yvan Loubier moved, --

That Bill C-7, in Clause 3, be amended by replacing lines 10 to 24 with the following:

a) to provide bands with more effective tools of governance on an interim basis pending the completion of self-government arrangements;

b) to facilitate the fulfillment by the Government of Canada of its commitment to negotiate and implement self-government arrangements;

c) to enable bands to respond more effectively to their particular governance needs and aspirations, including the ability to collaborate for certain purposes;

d) to enable bands to design and implement their own regimes in respect of leadership selection, administration of government and financial management and accountability; and

(e) to protect the freedom of bands to choose their own means of achieving transparency, accountability and good governance in accordance with their traditions and cultures.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: David Chatters, Yvan Loubier, Pat Martin, Maurice Vellacott (4)

NAYS: Gérard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Alan Tonks (7)

Pat Martin moved, --

That Bill C-7, in Clause 3, be amended by replacing lines 12 to 14 on page 3 with the following:

“pending the conclusion of self-government agreements;”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, David Chatters, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Alan Tonks, Maurice Vellacott (10)

Yvan Loubier moved, --

That Bill C-7, in Clause 3, be amended by:

(a) replacing lines 12-14 with “pending the implementation of the existing right of indigenous peoples to self-determination;”

b) replacing lines 15-18 with “(b) to reduce the frequency and nature of departmental and ministerial intrusion into the governance and administrative decisions of First Nations”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, David Chatters, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Alan Tonks, Maurice Vellacott (9)

Dave Chatters moved, --

That Bill C-7, in Clause 3, be amended by adding after line 14 on page 3 of the following:

“(a.1) to enable bands to achieve independence in the management of their affairs, which entails independence from the Department of Indian Affairs and Northern Development and from other umbrella organizations such as tribal councils;”

It was agreed, by a show of hands – That the motion be deferred until Wednesday, April 9, 2003.

YEAS: 7

NAYS: 4

At 6:05 p.m., the sitting was suspended.

At 6:13 p.m., the sitting resumed.

Pat Martin moved, --

That the debate do now adjourn.

The question being put on the motion, it was negatived by a show of hands:

YEAS: 2

NAYS: 7

Pat Martin moved, --

That Bill C-7, in Clause 3, be amended

(a) by adding after line 14 on page 3 the following:

“(a.1) to facilitate the fulfillment by the Government of Canada of its commitment to negotiate and implement self-government agreements;”

(b) by replacing, in the French version, line 16 on page 3 with the following:

“(b.1) de permettre aux bandes de satisfaire plus”

John Godfrey moved – That the amendment be further amended

(c) by replacing, in the French version, line 20 on page 3 with the following:

“(c.1) de permettre aux bandes de concevoir”

By unanimous consent, the motion was agreed to.

After debate, the question being put on the amendment, as amended, it was negatived on the following recorded division:

YEAS: John Godfrey, Yvan Loubier, Pat Martin, Maurice Vellacott (4)

NAYS: Gérard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Marcel Proulx (6)

Pat Martin moved, --

That Bill C-7, in Clause 3, be amended

a) by replacing, in the English version, line 18 on page 3 with the following:

“certain purposes;”

(b) by replacing lines 23 and 24 on page 3 with the following:

“ity; and

(d) to protect the freedom of bands to choose their own means of achieving transparency, accountability and good governance in accordance with their traditions and culture.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Marcel Proulx, Maurice Vellacott (8)

At 6:50 p.m., the sitting was suspended.

At 6:51 p.m., the sitting resumed.

At 6:52 p.m., the sitting was suspended.

At 6:57 p.m., the sitting resumed.

Yvan Loubier moved, --

That Bill C-7, in Clause 3, be amended by replacing lines 23 and 24 on page 3 with the following:

“ity.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier (1)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Marcel Proulx, Maurice Vellacott (8)

At 8:55 p.m., Maurice Vellacott moved – That the debate now adjourn.

The question being put on the motion, it was agreed to by a show of hands:

YEAS: 6

NAYS: 1

At 8:55 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 62

Wednesday, April 9, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Andrew Beynon, General Counsel;

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Gilles Rochon, Director General, Community Development Branch;

Paul Salembier, Senior Counsel.

As Individual:

Todd Krohman.



MINUTES OF PROCEEDINGS

Meeting No. 62

Wednesday, April 9, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:30 p.m. this day, in Room 362, East Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed, Maurice Vellacott.

Acting Members present: Albina Guarnieri for John Godfrey, Derek Lee for Benoît Serré, John Finlay for Benoît Serré.

In attendance: From the Committees Branch: Susan Baldwin, Jeffrey LeBlanc, Legislative Clerks.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Andrew Beynon, General Counsel; Paul Salembier, Senior Counsel; Gilles Rochon, Director General, Community Development Branch.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee proceeded to Clause-by-Clause consideration of the Bill.

Pursuant to Standing Order 75(1), consideration of Clause 1 is postponed.

Debate continued on the motion of Yvan Loubier --

That Bill C-7, in Clause 3, be amended by replacing lines 23 and 24 on page 3 with the following:

“ity, while providing administrative and technical support to assist bands or first nations with their development and implementation.”

At 3:34 p.m., the sitting was suspended.

At 3:36 p.m., the sitting resumed.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, Albina Guarnieri, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Derek Lee, David Chatters (9)

Pat Martin moved, --

That Bill C-7, in Clause 3, be amended by adding after line 24 on page 3 the following:

“(2) Nothing in this Act shall be construed as defining the nature or scope of any right to self-government or as fulfilling the obligations and commitments of the Government of Canada in relation to the negotiation and recognition of self-government agreements. For greater certainty, neither a code adopted by a band pursuant to section 4 nor regulations made under section 32 shall be construed as defining the nature or scope of a right to self-government or as relieving the Government of Canada of its obligations and commitments in relation to the negotiation and recognition of self-government agreements.”

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: David Chatters, Maurice Vellacott, Yvan Loubier, Pat Martin (4)

NAYS: Gérard Binet, Stan Dromisky, Albina Guarnieri, Charles Hubbard, Nancy Karetak-Lindell, Julian Reed, Derek Lee (7)

Pat Martin moved, --

That Bill C-7, in Clause 3, be amended by adding after line 24 on page 3 the following:

“(d) to reduce the frequency and nature of departmental and ministerial intrusion into the governance and administrative decisions of First Nations”

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS : Gérard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, David Chatters (7)

Pat Martin moved, --

That Bill C-7, in Clause 3, be amended by adding after line 24 on page 3 the following:

“ABORIGINAL RIGHTS

3.1 For greater certainty, nothing in this Act shall be construed so as to abrogate or derogate from any existing aboriginal or treaty rights of the aboriginal peoples of Canada under section 35 of the *Constitution Act, 1982*.”

It was agreed, by a show of hands – That the speaking time allotted to Pat Martin on the amendment be extended by ten (10) minutes.

YEAS: 5

NAYS: 3

On motion of Pat Martin, it was agreed – That Pat Martin's speaking time on this amendment be extended by an additional ten (10) minutes and that he be allowed to share his time.

By unanimous consent, the motion on the amendment was allowed to stand.

Debate resumed on the motion of David Chatters, --

That Bill C-7, in Clause 3, be amended by adding after line 14 on page 3 the following:

“(a.1) to enable bands to achieve independence in the management of their affairs, which entails independence from the Department of Indian Affairs and Northern Development and from other umbrella organizations such as tribal councils;”

Charles Hubbard moved – That the amendment be further amended by deleting all of the words after “their affairs” and adding the following:

“(a.2) to reduce the degree of involvement by the Minister in band affairs”

At 6:38 p.m., the sitting was suspended.

At 7:02 p.m., the sitting resumed.

Debate resumed on the sub-amendment of Charles Hubbard.

The question being put on the sub-amendment, it was agreed to.

The question being put on the amendment, as amended, it was agreed to.

By unanimous consent, debate resumed on the motion of Pat Martin, --

That Bill C-7, in Clause 3, be amended by adding after line 24 on page 3 the following:

“ABORIGINAL RIGHTS

3.1 For greater certainty, nothing in this Act shall be construed so as to abrogate or derogate from any existing aboriginal or treaty rights of the aboriginal peoples of Canada under section 35 of the *Constitution Act, 1982.*”

The question being put on the motion, it was agreed to.

Clause 3, as amended, carried.

On Clause 4

Pat Martin moved, --

That Bill C-7, in Clause 4, be amended by replacing lines 25 and 26 on page 3 with the following:

“4. (1) The council of a band may, at any time before the implementation of a self-government agreement with the Government of Canada, propose any”

After debate, the question being put on the amendment, it was negatived by a show of hands.

YEAS: 2

NAYS: 7

Pat Martin moved, --

That Bill C-7, in Clause 4, be amended by replacing lines 1 to 7 on page 4 with the following:

“(2) A proposed code is adopted if

(a) it is approved in accordance with an adoption procedure negotiated and agreed to between the band and the Minister; or

(b) in the absence of an agreement referred to in paragraph (a), it is approved in accordance with an adoption procedure agreed to by a majority of eligible voters of the band, if those who vote to approve it constitute more than twenty-five percent of all eligible voters.”

After debate, the question being put on the amendment, it was negatived by a show of hands.

YEAS: 2

NAYS: 8

Maurice Vellacott moved, --

That Bill C-7, in Clause 4, be amended by replacing line 7 on page 4 with the following:

“fifty per cent of all eligible voters.”

By unanimous consent, the motion was allowed to stand.

Maurice Vellacott moved, --

That Bill C-7, in Clause 4, be amended by adding after line 7 on page 4 the following:

“(2.1) A proposed code shall not be adopted unless it has been made available to all band members and residents of the reserve for at least 15 days before the vote is conducted.”

After debate, the question being put on the amendment, it was agreed to by a show of hands:

YEAS: 6

NAYS: 3

Debate resumed on the motion of Maurice Vellacott, --

That Bill C-7, in Clause 4, be amended by replacing line 7 on page 4 with the following:

“fifty per cent of all eligible voters.”

David Chatters moved – That the motion be further amended by deleting the words “fifty per cent” and by substituting the following therefor:

“thirty per cent”

The question being put on the sub-amendment, it was negatived.

The question being put on the amendment, it was negatived by the following recorded division:

YEAS: David Chatters, Maurice Vellacott (2)

NAYS: Gérard Binet, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, John Finlay, Yvan Loubier, Pat Martin (8)

Yvan Loubier moved, --

That Bill C-7, in Clause 4, be amended by adding a subsection (4) the following:

“(4) Adoptions of leadership selection, administration of government or financial management and accountability codes as set out in this and related sections:

(a) are interim measures pending the fulfillment by Canada of its commitment to negotiate and implement self-government arrangements with aboriginal peoples;

(b) in no way diminish the Government of Canada’s commitment to negotiate and implement self-government arrangements.”

After debate, the question being put on the amendment, it was negatived by a show of hands.

YEAS: 2

NAYS: 9

Clause 4, as amended, carried on the following recorded division:

YEAS: Gérard Binet, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, John Finlay (6)

NAYS: David Chatters, Maurice Vellacott, Yvan Loubier, Pat Martin (4)

David Chatters moved – That the Committee now adjourn.

The question being put on the motion, it was agreed to by a show of hands.

YEAS: 9

NAYS: 1

At 9:22 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 63

Thursday, April 10, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Andrew Beynon, General Counsel;

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Paul Salembier, Senior Counsel.



MINUTES OF PROCEEDINGS

Meeting No. 63

Thursday, April 10, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:40 a.m. this day, in Room 371, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed, Maurice Vellacott.

Visiting Members present: Beth Phinney for Benoît Serré.

Attendance: From the Committees Branch: Susan Baldwin, Jeffrey LeBlanc, Legislative Clerks.

Attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Andrew Beynon, General Counsel; Paul Salembier, Senior Counsel.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee proceeded to Clause-by-Clause consideration of the Bill.

Pursuant to Standing Order 75(1), consideration of Clause 1 is postponed.

On Clause 5

Pt Martin moved, --

That Bill C-7, in Clause 5, be amended by replacing lines 12 to 45 on page 4 and lines 1 to 13 on page 5 with the following:

‘5. (1) A leadership selection code must

a) provide for the size and composition of the band council;

b) establish a mode of selection of the members of the council;

c) specify the term of office of the members of the council, which may be fixed or indefinite;

d) prescribe procedures for selection of the members of the council;

e) prescribe the qualifications of persons entitled to be selected as members of the council;

- (f) if a band chooses to elect a council, prescribe the qualifications of persons who may vote at elections of the council and the process for voting;
- (g) specify the manner of filling vacancies on the council;
- (h) specify the grounds and provide a process for appealing the selection of members of the council;
- (i) specify a process by which members of the council may be removed from office and the grounds for removal;
- (j) identify corrupt electoral policies; and
- (k) establish a procedure for amending the code.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Ju Reed, Beth Phinney (8)

At 10:05 a.m., Pat Martin moved – That the Committee suspend its sitting until such time as documents concerning the constitutional and legal implications of the proposed legislation are available from the department, or those involved in the drafting of such documents may be interviewed.

The Chairman ruled the proposed motion out of order on the grounds that it is similar to a motion already negatived by the Committee on Wednesday, April 2, 2003. (Meeting no. 59)

Dave Chatters proposed – That the proposed amendment of the Bloc Québécois, on Clause 5, concerning the establishment of the office of the First Nations Election Officer be considered out of order on the grounds that it would require a Royal Recommendation.

The Chairman ruled that given the fact the Committee is studying the Bill following first reading, all amendments considered by the Committee requiring a Royal Recommendation will be included in the Committee’s Report to House. It may be up to the House itself to decide whether or not those amendments in question are ruled out of order.

Yvan Loubier moved, --

That Bill C-7, in Clause 5, be amended by:

a) replacing subsection (1) with the following:

“(1) A leadership selection code adopted by a band must address and achieve the following objectives:

- (a) providing for the size and composition of the band Council;
- (b) establishing a mode of selection of members of Council;
- (c) specifying the terms of office, which may be fixed or indefinite;
- (d) prescribing procedures for selecting the member of Council;
- (e) prescribing the qualifications of persons entitled to be selected as members of Council;
- (f) if a band chooses to elect its Council, prescribing the qualification of those persons who may vote at elections of the Council and the process for carrying on the voting;
- (g) specifying the manner of filling vacancies;

d) specifying the grounds and providing a process for appealing from the selection of members of Council; (i) specifying the grounds and process for removal from office of members of Council, including elected members; c) identifying corrupt electoral policies; and e) establishing a procedure for amending the code.”

) adding a subsection (6) as follows:

(6) The office of the First Nations Elections Officer shall be established in consultation with the Assembly of First Nations and the Minister. The First Nations Elections Officer shall supervise the entire election process.”

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Beth Phinney (8)

Yvan Loubier moved, --

That Bill C-7, in Clause 5, be amended by replacing lines 20 and 21 on page 4 with the following:

“members of the council;”

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, David Chatters, Maurice Vellacott (9)

Charles Hubbard moved, --

That Bill C-7, in Clause 5, be amended by replacing, in the English version, lines 20 and 21 on page 4 with the following:

“members of the council, such that at least a majority of them are elected;”

After debate, the question being put on the amendment, it was carried by a show of hands.

YEAS: 7

NAYS: 1

At 12:10 a.m., Pat Martin moved – That the Committee adjourn until all documents pertaining to any legal or constitutional implications of the enactment of Bill C-7 be tabled with the Committee.

The question being put on the motion, it was negated by a show of hands.

YEAS: 3

NAYS: 7

At 12:21 a.m., Maurice Vellacott moved – That the Committee now adjourn.

The Chairman ruled the proposed motion out of order on the grounds that to have a second dilatory motion proposed, a substantive motion is required to be moved in between.

Yvan Loubier moved, --

That Bill C-7, in Clause 5, be amended by replacing lines 22 and 23 on page 4 with the following:

“(c) specifying the term of office of elected members of”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julie Reed, Maurice Vellacott (8)

At 12:30 a.m., Maurice Vellacott moved – That the Committee adjourn until Monday, April 28, 2003, and that the then recommence clause-by-clause and after such time as that is completed, reports it to the House.

The question being put on the motion, it was negatived by a show of hands.

YEAS: 3

NAYS: 6

At 12:30 a.m., Charles Hubbard moved – That the Committee suspend until 1:00 p.m.

The question being put on the motion, it was agreed to by unanimous consent.

At 1:17 p.m., the sitting resumed.

Yvan Loubier moved, --

That Bill C-7, in Clause 5, be amended by deleting lines 14 to 17 on page 5.

After debate, the question being put on the amendment, it was negatived by a show of hands.

YEAS: 2

NAYS: 7

At 1:52 p.m., Stan Dromisky moved – That the Committee adjourn until Monday, April 28, 2003 at which time the Committee will recommence the clause-by-clause consideration of Bill C-7. After the completion of clause-by-clause consideration, the Committee shall report the Bill to the House.

The question being put on the motion, it was agreed to by a show of hands.

YEAS: 7

AYS: 2

At 1:52 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee



HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 64

Monday, April 28, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Andrew Beynon, General Counsel;

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Paul Salembier, Senior Counsel.

**MINUTES OF PROCEEDINGS**

Meeting No. 64

Monday, April 28, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 9:00 a.m. this day, in Room 253-D, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed, Benoît Serré, Maurice Vellacott.

In attendance: From the Committees Branch: Susan Baldwin, Jeffrey LeBlanc, Legislative Clerks; Jeremy LeBlanc, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley and Katharine Dunkley, Analysts.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Andrew Beynon, General Counsel; Paul Salembier, Senior Counsel.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee resumed Clause-by-Clause consideration of the Bill.

On Clause 5

Maurice Vellacott moved, --

That Bill C-7, in Clause 5, be amended by replacing line 15 on page 5 with the following:

“be adopted only during the period of three years”

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, John Godfrey, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed, Benoît Serré, Maurice Vellacott (10)

NAYS: (0)

Pat Martin moved, --

That Bill C-7, in Clause 5, be amended by replacing line 17 on page 5 with the following:

“section, or at a date as early as the band establishes feasible.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Benoît Serré (7)

Pat Martin moved, --

That Bill C-7, in Clause 5, be amended by replacing lines 23 to 29 on page 5 with the following:

“(5) A leadership selection code must respect the rights of all members of the band.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Benoît Serré, Maurice Vellacott (9)

Clause 5, as amended, carried by a show of hands.

YEAS: 7

NAYS: 3

On Clause 6

Yvan Loubier moved, --

That Bill C-7, in Clause 6, be amended by replacing subsections (1) through (4) with the following

“(1) An administration of government code must address and achieve the following objectives:

- (a) frequency of meetings;
 - (b) the manner of calling and publicizing meetings;
 - (c) the participation of members in meeting and;
 - (d) the keeping of minutes of proceedings at meetings and access to the minutes by members.
- (2) An administration of government code must address and achieve the following objectives respecting meetings of the Council of the band:
- (a) meetings which are to be open to members of the band and the frequency of such meetings;
 - (b) the manner of calling and publicizing meetings;
 - (c) the manner of making decisions and exercising the Council's powers; and

(d) the keeping of records of the Council's decisions and access to those records by members of the band.

(3) government code must address and achieve the following objectives respecting the development, making and registration of band laws:

(a) providing for reasonable notice to band members of a proposed law and permitting affected persons to comment on it before its made;

(b) prescribing the procedure for making of band laws by the Council; and

(c) providing for the maintenance of a band registry of codes and laws.

(4) An administration of government code must address and achieve the following objectives:

(a) setting out the roles and authority of the band administration and its relationship to the Council;

(b) providing for conflicts of interest of members of the Council and employees of the band;

(c) respecting access to information under the control of the band, protection of personal information under its control and access by individuals to information about themselves; and

(d) establishing a procedure for amending the code.”

After debate, the question being put on the amendment, it was negatived by a show of hands.

YEAS: 2

NAYS: 8

Pat Martin moved, --

That Bill C-7, in Clause 6, be amended by replacing lines 30 to 43 on page 5 with the following:

“6. (1) An administration of government code must specify

(a) the frequency of meetings of band members;

(b) the manner of calling and publicizing meetings;

(c) the participation of members in meetings; and

(d) the keeping of minutes of proceedings at meetings and access to the minutes by members.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Julian Reed (5)

Maurice Vellacott moved, --

That Bill C-7, in Clause 6, be amended by replacing line 32 on page 5 with the following:

“of the members of the band and residents of the reserve and, in particular,”

After debate, the question being put on the amendment, it was negatived by a show of hands.

YEAS: 2

NAYS: 6

On motion of Nancy Karetak-Lindell, it was agreed – That the Standing Committee suspend its proceedings until 3:15 p.m. this day.

At 12:54 a.m., the sitting was suspended.

At 3:25 p.m., the sitting resumed.

The Committee resumed Clause-by-Clause consideration of the Bill.

On Clause 6,

Pat Martin moved, --

That Bill C-7, in Clause 6, be amended by replacing lines 1 to 15 on page 6 with the following:

“(2) An administration of government code must specify

(a) the frequency of meetings of the council and that all such meetings be open to all members of the band;

(b) the manner of calling and publicizing meetings;

(c) the manner in which the band council is to make decisions and exercise its powers; and

(d) the manner in which records of the council’s decisions are to be kept and the means by which members of the band are to have access to those records.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Maurice Vellacott (8)

Maurice Vellacott moved, --

That Bill C-7, in Clause 6, be amended by replacing line 5 on page 6 with the following:

“bers of the band and residents of the reserve be held at least four times in every”

On motion of Charles Hubbard, it was agreed, by unanimous consent, --

That the motion be further amended by replacing the word “four” with the word “two”.

After debate, the question being put on the amendment, as amended, it was negated by a show of hands.

YEAS: 1

NAYS: 8

Maurice Vellacott moved, --

That Bill C-7, in Clause 6, be amended by replacing line 8 on page 6 with the following:

“publicizing meetings, with a view to ensuring that every meeting is publicized for a reasonable amount of time before it is held;”

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Maurice Vellacott (1)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Julian Reed, Yvan Loubier, Pat Martin (8)

Maurice Vellacott moved, --

That Bill C-7, in Clause 6, be amended by adding after line 8 on page 6 the following:

“(b.1) prescribing that a quorum of the members of council must be present at a meeting of the council in order for the council to exercise its powers;”

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Maurice Vellacott (1)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Julian Reed, Yvan Loubier, Pat Martin (8)

At 5:45 p.m., the sitting was suspended.

At 6:05 p.m., the sitting resumed.

At 6:19 p.m., on motion of Julian Reed, it was agreed – That the Committee now adjourn until 11:00 a.m., Tuesday, April 29, 2003.

At 6:19 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 65

Tuesday, April 29, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

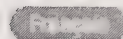
Andrew Beynon, General Counsel;

Sylvie George, Manager, Transfer Payments Directorate;

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Paul Salembier, Senior Counsel.





MINUTES OF PROCEEDINGS

Meeting No. 65

Tuesday, April 29, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 11:05 a.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed, Benoît Serré, Maurice Vellacott.

Acting Members present: Derek Lee for Nancy Karetak-Lindell, Stan Keyes for Benoît Serré, Joe McGuire for Julian Reed, Serge Marcil for Julian Reed, Alan Tonks for Benoît Serré, John Finlay for Julian Reed, John Finlay for John Godfrey, Paul Crête for Yvan Loubier, Geoff Regan for Benoît Serré, Derek Lee for Nancy Karetak-Lindell, Mark Eyking for John Godfrey, John Finlay for Nancy Karetak-Lindell, Larry Spencer for Dave Chatters, Reg Alcock for Benoît Serré, Claude Duplain for Nancy Karetak-Lindell, Beth Phinney for Benoît Serré, Ken Epp for Brian Pallister, Dominic LeBlanc for Nancy Karetak-Lindell, Derek Lee for Benoît Serré, Murray Calder for Julian Reed, Mac Harb for Julian Reed, Alan Tonks for John Godfrey, Jacques Saada for Stan Dromisky, Marlene Catterall for Julian Reed.

Other Member present: Peter Stoffer.

In attendance: From the Committees Branch: Jeffrey LeBlanc, Joann Garbig, Legislative Clerks; Jeremy LeBlanc, Georges Etoke, Committee Clerks.

In attendance: From the Library of Parliament: Mary Hurley, Tonina Simeone, Analysts.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Andrew Beynon, General Counsel; Paul Salembier, Senior Counsel; Sylvie George, Manager, Transfer Payment Directorate, Finance Branch; Natalie Nepton, Acting Director, Band Governance and Estates, Lands and Trust Services.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee resumed Clause-by-Clause consideration of the Bill.

On Clause 6,

Pat Martin moved, --

That Bill C-7, in Clause 6, be amended by replacing lines 16 to 27 on page 6 with the following:

“(3) An administration of government code must

(a) provide for reasonable notice to band members of a proposed band law and permit affected persons to comment on it before it is made;

(b) prescribe the procedures for the making of band laws by the council; and

(c) provide for the maintenance of a band registry of codes and laws.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Derek Lee, Anita Neville (6)

At 11:52 a.m., the sitting was suspended for lack of quorum.

At 12:04 p.m., the sitting resumed.

Charles Hubbard moved, -- That Bill C-7, in Clause 6, be amended by replacing line 19 on page 6 with the following:

made under this Act and the delegation by the council of its law-making powers and, in particular, rules

At 12:06 p.m., the sitting was suspended for lack of quorum.

At 12:10 p.m., the sitting resumed.

The Committee resumed consideration on the motion of Charles Hubbard.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Derek Lee, Benoît Serré, Maurice Vellacott (7)

NAYS: Yvan Loubier, Pat Martin (2)

Maurice Vellacott moved, --

That Bill C-7, in Clause 6, be amended by replacing line 25 on page 6 with the following:

“ing of band laws by the council, including a requirement that a quorum of the members of council must be present at a meeting of the council in order for the council to make a band law; and”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Benoît Serré, Maurice Vellacott (6)

Pat Martin moved, --

That Bill C-7, in Clause 6, be amended by replacing lines 28 to 42 on page 6 with the following:

“(4) An administration of government code must

(a) set out the roles and authorities of the band administration and its relationship to the council;

(b) provide for conflicts of interest of members of the council and employees of the band;

(c) provide for access to information that is under the control of the band, the protection of personal information under its control and access by individuals to information about themselves; and

(d) establish a procedure for amending the code.”

At 1:10 p.m., the sitting was suspended for lack of quorum.

At 1:23 p.m., the sitting resumed.

By unanimous consent, it was agreed – That the amendment be further amended by adding after the word “provide” in section (b) the following: “remedy”.

After debate, the question being put on the amendment as amended, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS : Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Derek Lee, Anita Neville, Benoît Serré (7)

Maurice Vellacott moved – That the sitting be suspended until 3:15 p.m. this day.

The question being put on the motion, it was negatived by a show of hands.

YEAS: 3

NAYS: 7

At 1:57 p.m., the sitting was suspended for lack of quorum.

At 2:10 p.m., the sitting resumed.

Maurice Vellacott moved, --

That Bill C-7, in Clause 6, be amended by adding after line 42 on page 6 the following:

“(5) The code referred to in subsection (4) shall specify that members of the council and employees of the band

(a) are required to carry out their duties in an impartial manner; and

(b) will be considered to be in conflict of interest and in violation of the code if they

(i) take part in a decision in the course of carrying out their duties, or use their position to influence or seek to influence such a decision, knowing that the decision might further a private interest of the member or of the employee, or of their spouse or minor child, or

(ii) use or communicate information not available to the general public that was obtained by the member or employee in the course of carrying out their duties under a financial management or accountability code with a view to furthering or seeking to further a private interest of the member or of the employee, or of their spouse or minor child.

(6) A member or employee who exercises supervisory or inspection functions or other discretionary authority in relation to other persons shall disqualify themselves from acting in that capacity in relation to any person with whom the member or employee has a personal or familial relationship of such a nature that it could reasonably be perceived as bringing the impartiality of the member or employee into question in respect of the exercise of those functions.

(7) No member or employee shall accept, from any individual, organization or corporation, a fee, gift or other benefit that is directly or indirectly related to the performance of their duties. This does not include

(a) the customary exchange of gifts between friends;

(b) the customary exchange of hospitality between persons doing business together;

(c) token gifts exchanged in accordance with protocol; or

(d) the customary presentation of gifts to persons participating in public functions.

(8) Where the council of a band makes an allegation of conflict of interest against an employee of the band, the employee may request the intervention of the Ombudsman appointed under section 11.

(9) The code shall specify the penalties for failure to comply with the code. In the case of employees, the code shall specify what disciplinary measures may be imposed by council, including dismissal, and the circumstances when those penalties are applicable. In the case of members, the code shall specify what disciplinary measures may be imposed by a quorum of the council, including removal from council, and the circumstances when those penalties are applicable.”

At 2:12 p.m., the sitting was suspended for lack of quorum.

At 2:22 p.m., the sitting resumed.

On a point of order, Maurice Vellacott stated that those members counted in quorum need to be sitting at

the Committee table.

The Chairman ruled that those members in the Committee room may be counted in quorum.

The question having been put: "Shall the decision of the Chair be sustained?" it was agreed to by a show of hands.

YEAS: 7

NAYS: 2

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott (1)

NAYS: Gérard Binet, Stan Dromisky, Charles Hubbard, Anita Neville, Julian Reed, Benoît Serré, Pat Martin (7)

Clause 6, as amended, carried on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Charles Hubbard, Anita Neville, Julian Reed, Benoît Serré (6)

NAYS: Maurice Vellacott, Pat Martin (2)

On Clause 7,

Maurice Vellacott moved, --

That Bill C-7, in Clause 7, be amended by replacing line 5 on page 7 with the following:

"council and presentation, together with a current balance sheet, to members of the"

At 3:10 p.m., the sitting was suspended for lack of quorum.

At 3:23 p.m., the sitting resumed.

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Paul Crête (2)

NAYS: Gérard Binet, Stan Dromisky, John Finlay, Charles Hubbard, Anita Neville, Julian Reed, Benoît Serré, Pat Martin (8)

Maurice Vellacott moved, --

That Bill C-7, in Clause 7, be amended by replacing line 6 on page 7 with the following:

“band and residents of the reserve during the last quarter of the preceding”

At 3:58 p.m., the sitting was suspended for lack of quorum.

At 4:10 p.m., the sitting resumed.

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived by a show of hands.

YEAS: 3

NAYS: 7

Maurice Vellacott moved, --

That Bill C-7, in Clause 7, be amended by adding after line 27 on page 7 the following:

“(2) The budget and balance sheet referred to in paragraph (1)(a) shall express the financial position of the band in as clear and accurate manner as possible.”

By unanimous consent, it was agreed that the amendment be further amended by deleting the words “and balance sheet referred to in paragraph (1) (a)”.

Paul Crête moved – That the amendment be further amended by adding the following: “à partir des états financiers prévus à l’article 8 et 9 (1)”.

At 5:04 p.m., the sitting was suspended for lack of quorum.

At 5:22 p.m., the sitting resumed.

At 5:36 p.m., the sitting was suspended.

At 6:31 p.m., the sitting resumed.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Paul Crête, Pat Martin (3)

NAYS : Benoît Serré, Stan Dromisky, John Godfrey, Charles Hubbard, Anita Neville (5)

Debate resumed on the amendment.

At 6:39 p.m., the sitting was suspended for lack of quorum.

At 6:40 p.m., the sitting resumed.

At 6:42 p.m., the sitting was suspended for lack of quorum.

At 6:44 p.m., the sitting resumed.

After debate, the question being put on the amendment, it was negatived by a show of hands.

YEAS: 3

NAYS: 8

Maurice Vellacott moved, --

That Bill C-7, in Clause 7, be amended by adding after line 27 on page 7 the following:

“(2) The council of each band shall conduct an annual meeting, which shall be attended by the auditor, during which the council shall

(a) present the budget and balance sheet to all members of the band and residents of the reserve in accordance with the financial management and accountability code;

(b) allow sufficient time, after the presentation, for members of the band and residents of the reserve to submit to the council and to the auditor questions and comments relating to the budget and balance sheet; and

(c) make every effort, with the auditor, to give a thorough answer to all questions put to them.”

And debate arose thereon.

After debate, Larry Spencer moved – That the amendment be amended by adding, before the first occurrence of the words “balance sheet”, the word “a” and by adding, after the word “code”, the words “or regulations”.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Larry Spencer, Ken Epp, Maurice Vellacott, Pat Martin (4)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Anita Neville, Julian Reed, Beth Phinney (7)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Larry Spencer, Ken Epp, Maurice Vellacott (3)

NAYS: Gérard Binet, John Godfrey, Charles Hubbard, Claude Duplain, Anita Neville, Julian Reed, Pat

Martin (7)

Maurice Vellacott moved, --

That Bill C-7, in Clause 7, be amended by adding after line 27 on page 7 the following:

“(2) The council of the band shall make available to the members of the band and the residents of the reserve a copy of the budget and balance sheet at least 14 days before the budget and balance sheet are presented in accordance with the financial management and accountability code.”

Whereupon a point of order was raised as to the admissibility of the amendment.

The Chairman ruled the amendment inadmissible since it was different from the one which the Member had previously given notice of in accordance with the motion adopted on Wednesday, April 2, 2003 (meeting no. 59)

Clause 7 carried.

Clause 8 carried on division.

On Clause 9,

Maurice Vellacott moved, --

That Bill C-7, in Clause 9, be amended by replacing line 39 on page 7 with the following:

“rated under the laws of a province and who has no apparent or actual interest in the finances of the band.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Ken Epp, Maurice Vellacott, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Dominic LeBlanc, Anita Neville, Julian Reed, Beth Phinney (8)

Pat Martin moved, --

That Bill C-7, in Clause 9, be amended by deleting lines 5 to 9 on page 8.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Ken Epp, Maurice Vellacott, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Anita Neville, Julian Reed, Derek Lee (7)

Maurice Vellacott moved, --

That Bill C-7, in Clause 9, be amended by replacing line 5 on page 8 with the following:

“(3) A band's audited financial statements with supporting schedules shall be”

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Ken Epp, Maurice Vellacott (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Anita Neville, Julian Reed, Derek Lee, Pat Martin (8)

Maurice Vellacott moved, --

That Bill C-7, in Clause 9, be amended by replacing line 9 on page 8 with the following:

“payment of a nominal fee that does not exceed the cost of printing.”

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Ken Epp, Maurice Vellacott (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Anita Neville, Julian Reed, Pat Martin (7)

Maurice Vellacott moved, --

That Bill C-7, in Clause 9, be amended by adding after line 9 on page 8 the following:

“(4) Within 60 days after a band's financial statements have been made publicly available in accordance with subsection (3), the council shall conduct a meeting open to all members of the band and residents of the reserve. The auditor shall attend at the meeting to respond to any question or comments from members and residents in respect of the financial statements.”

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Ken Epp, Maurice Vellacott (2)

NAYS: Gérard Binet, John Godfrey, Charles Hubbard, Anita Neville, Julian Reed, Derek Lee, Yvan Loubier, Pat Martin (8)

Clause 9 carried on the following recorded division:

YEAS: Gérard Binet, John Godfrey, Charles Hubbard, Anita Neville, Julian Reed, Derek Lee (6)

NAYS: Ken Epp, Maurice Vellacott, Yvan Loubier, Pat Martin (4)

Ken Epp moved – That the Committee do now adjourn.

The question being put on the motion, it was negatived by a show of hands.

YEAS: 4

NAYS: 6

On Clause 10,

Maurice Vellacott moved, --

That Bill C-7, in Clause 10, be amended by replacing line 10 on page 8 with the following:

“10. (1) In the event of a breach”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Ken Epp, Maurice Vellacott, Yvan Loubier, Pat Martin (4)

NAYS: Gérard Binet, Stan Dromisky, Charles Hubbard, Dominic LeBlanc, Anita Neville, Julian Reed, Derek Lee (7)

Maurice Vellacott moved, --

That Bill C-7, in Clause 10, be amended by replacing line 11 on page 8 with the following:

“of any rule respecting the deficit, debt or accounting practices of a”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Ken Epp, Maurice Vellacott, Yvan Loubier, Pat Martin (4)

NAYS: Gérard Binet, Stan Dromisky, Charles Hubbard, Dominic LeBlanc, Anita Neville, Murray Calder (6)

Pat Martin moved, --

That Bill C-7, in Clause 10, be amended by replacing lines 13 to 20 on page 8 with the following:

“presented to the members of the band at a date as early as the council establishes feasible.”

And debate arose thereon.

After debate, Maurice Vellacott moved – That the amendment be further amended by adding the following: “as long as it is within six months”.

After debate, Ken Epp moved – That the Committee do now adjourn.

The question being put on the motion, it was negated by a show of hands.

YEAS: 3

NAYS: 8

After debate, the question being put on the sub-amendment, it was negated on the following recorded division:

YEAS: Ken Epp, Maurice Vellacott, Yvan Loubier (3)

NAYS: Gérard Binet, Stan Dromisky, Mac Harb, Charles Hubbard, Anita Neville, Alan Tonks, Derek Lee, Pat Martin (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negated by a show of hands.

YEAS: 3

NAYS: 8

Yvan Loubier moved, --

That Bill C-7, in Clause 10, be amended by replacing line 19 on page 8 with the following:

“than 60 days after the time the breach became”

By unanimous consent, it was agreed – That the amendment be amended by inserting after the word “that” the number “1” (to read 160 instead of 60).

Ken Epp moved – That the Committee do now adjourn.

The question being put on the motion, it was negated by a show of hands.

YEAS: 4

NAYS: 7

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Ken Epp, Maurice Vellacott, Yvan Loubier, Pat Martin (4)

NAYS: Gérard Binet, Stan Dromisky, Mac Harb, Charles Hubbard, Anita Neville, Alan Tonks, Derek Lee (7)

Pat Martin moved, --

That Bill C-7, in Clause 10, be amended by deleting lines 25 to 39 on page 8.

Ken Epp moved – That the Committee do now adjourn.

The question being put on the motion, it was negatived by a show of hands.

YEAS: 2

NAYS: 9

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Jacques Saada, Charles Hubbard, Anita Neville, Marlene Catterall, Benoît Serré, Derek Lee, Ken Epp, Maurice Vellacott (9)

Pat Martin moved, --

That Bill C-7, in Clause 10, be amended by replacing lines 25 to 30 on page 8 with the following:

“(3) A Council may carry out an assessment of a band’s financial position and, if the Council considers necessary, require that remedial measures be taken when any of the following circumstances becomes known:”

After debate, the question being put on the amendment, it was negatived by a show of hands.

YEAS: 2

NAYS: 9

Charles Hubbard moved, -- That Bill C-7, in Clause 10, be amended by replacing lines 25 to 27 on page 8 with the following:

Ministerial assessment

(3) The Minister, or a person or body designated by the Minister, may at any time carry out an assessment of a band's financial position and, if the Minister considers it necessary, the Minister may require that

At 2:51 a.m., the sitting was suspended.

At 2:57 a.m., the sitting resumed.

Ken Epp moved – That the Committee do now adjourn.

The question being put on the motion, it was negated by a show of hands.

YEAS: 3

NAYS: 8

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was agreed to on the following division.

YEAS: Gérard Binet, Jacques Saada, Charles Hubbard, Alan Tonks, Anita Neville, Marlene Catterall, Derek Lee (7)

NAYS: Ken Epp, Maurice Vellacott, Yvan Loubier, Pat Martin (4)

Clause 10, as amended, carried on the following recorded division:

YEAS: Gérard Binet, Jacques Saada, Charles Hubbard, Alan Tonks, Anita Neville, Marlene Catterall, Derek Lee (7)

NAYS: Ken Epp, Maurice Vellacott, Yvan Loubier, Pat Martin (4)

Pat Martin moved, --

That Bill C-7, in Clause 11, be amended by replacing lines 40 to 42 on page 8 with the following:

“11. (1) The council of a band may authorize an impartial person or body”

At 3:31 a.m., the sitting was suspended.

At 3:35 a.m., the sitting resumed.

At 3:43 a.m., the sitting was suspended.

At 3:48 a.m., the sitting resumed.

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Jacques Saada, Charles Hubbard, Alan Tonks, Anita Neville, Marlene Catterall, Derek Lee (7)

Charles Hubbard moved, --

That Bill C-7, in Clause 11, be amended by replacing lines 41 and 42 on page 8 with the following:

“law, authorize an impartial person or body”

At 4:01 a.m., the sitting was suspended for lack of quorum.

At 4:20 a.m., on Wednesday, April 30, 2003, the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 66

Wednesday, April 30, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Andrew Beynon, General Counsel;

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Paul Salembier, Senior Counsel.



MINUTES OF PROCEEDINGS

Meeting No. 66

Wednesday, April 30, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 3:37 p.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, Charles Hubbard, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed, Maurice Vellacott.

Acting Members present: Joe Comartin for Pat Martin, John Maloney for Benoît Serré, Sue Barnes for Julian Reed, Mark Eyking for Nancy Karetak-Lindell, Lawrence O'Brien for Benoît Serré, Joe Peschisolido for John Godfrey, Beth Pinney for Benoît Serré, Serge Marcell for Nancy Karetak-Lindell, Paddy Torsney for Nancy Karetak-Lindell, Massimo Pacetti for John Godfrey, John Brydon for Anita Neville.

In attendance: From the Committees Branch: Jeffrey LeBlanc, Susan Baldwin, Legislative Clerks; Richard Dupuis, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley and Carol Hilling, Analysts.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Andrew Beynon, General Counsel; Paul Salembier, Senior Counsel.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee proceeded to Clause-by-Clause consideration of the Bill.

On Clause 11,

Debate resumed on the motion of Charles Hubbard, --

That Bill C-7, in Clause 11, be amended by replacing lines 41 and 42 on page 8 with the following:

law, authorize an impartial person or body

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet Stan Dromisky, Charles Hubbard, Mark Eyking, Anita Neville, Julian Reed, Lawrence O'Brien (7)

NAYS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

Charles Hubbard moved, -- That Bill C-7, in Clause 11, be amended by

(a) replacing lines 1 to 5 on page 9 with the following:

(a) alleging the contravention or the unfair or improper application - by the council, a member of the council or an employee of the band - of this Act, a code, regulations made under section 32 or a band law made under section 18

(b) contesting any decision made - by the council, a member of the council or an employee of the band - against the member of the band or resident of the reserve in the exercise of

(b) replacing lines 9 to 15 on page 9 with the following:

the power,

(a) after considering a complaint described in paragraph (1)(a), to determine whether there was a contravention or unfair or improper application of this Act, a code, regulations made under section 32 or a band law made under section 18 and, if so, order the council, member or employee to take any measures necessary to rectify it; or

(b) after considering a complaint described in paragraph (1)(b), to order the council, the member or the employee to reconsider their decision.

Complaint against member of council

(2.1) A band law referred to in subsection (1) may confer on the authorized person or body the power, after considering a complaint, to

(a) where the complaint relates to the conduct of an election of a member of the council, set aside the election of the member; or

(b) order that the member of the council be removed from office, where there was a contravention consisting of conduct that is a ground for removal from office.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Joe Peschisolido, Charles Hubbard, Mark Eyking, Anita Neville, Julian Reed

NAYS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

Maurice Vellacott moved, --

That Bill C-7, in Clause 11, be amended by replacing line 17 on page 9 with the following:

“shall, within 45 days after it is made, be provided in writing to the complainant”

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Joe Peschisolido, Charles Hubbard, Serge Marcil, Anita Neville, Julian Reed, Beth Phinney, Maurice Vellacott (9)

NAYS: Yvan Loubier, Pat Martin (2)

Maurice Vellacott moved, --

That Bill C-7, in Clause 11, be amended by replacing lines 26 and 27 on page 9 with the following:

...applies in respect of any decision referred to in paragraph (1)(b), including a decision from which a code provides a right of appeal, in which case the band law applies after the day on which the appeal process is concluded or after the day that is 45 days after the appeal process is initiated, whichever is earlier.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

EAS: Maurice Vellacott (1)

AYS: Gérard Binet, Joe Peschisolido, Charles Hubbard, Serge Marcil, Anita Neville, Julian Reed, Benoît Serré, Yvan Loubier, Pat Martin (9)

Charles Hubbard moved, -- That Bill C-7, in Clause 11, be amended by replacing line 27 on page 9 with the following:

...which a right of appeal is provided by a code, regulations made under section 32, a land code adopted under the First Nations Land Management Act or a first nation law enacted under that Act.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

EAS: Gérard Binet, Stan Dromisky, Joe Peschisolido, Charles Hubbard, Serge Marcil, Anita Neville, Julian Reed, Keith Phinney (8)

AYS : Yvan Loubier, Pat Martin (2)

Maurice Vellacott moved, --

That Bill C-7, in Clause 11, be amended by adding after line 27 on page 9 the following:

“(6) For greater certainty, where appropriate, a member of a band or resident of a reserve who has a complaint referred to in subsection (1) may initiate a claim in a court of competent jurisdiction.”

Pat Martin moved – That the Committee adjourn at 7:00 p.m. this day.

The question being put on the motion, it was negatived by a show of hands:

EAS: 3

AYS: 6

Debate continued on the amendment.

After debate, the question being put on the amendment, it was negatived by a show of hands.

EAS: 0

AYS: 9

After debate, Clause 11, as amended, carried by a show of hands.

EAS: 8

NAYS: 2

Clause 12 carried on division.

On Clause 13,

Maurice Vellacott moved, --

That Bill C-7, in Clause 13, be amended by replacing line 38 on page 9 with the following:

“to the band by the member, provided that the band makes available to the particular member the evidence of such debt accrued and the terms of repayment, excluding any fine”

After debate, the question being put on the amendment, it was agreed to by unanimous consent on the following recorded division:

YEAS: Gérard Binet, Massimo Pacetti, Charles Hubbard, Paddy Torsney, John Bryden, Beth Phinney, Maurice Vellacott, Yvan Loubier, Pat Martin (9)

NAYS: (0)

Yvan Loubier moved, --

That Bill C-7, in Clause 13, be amended by replacing line 39 on page 9 with the following:

“imposed for the contravention of a band law, taking into account the member's financial position and ability to pay

At 7:45 p.m., the sitting was suspended.

At 7:50 p.m., the sitting resumed.

At 7:57 p.m., the sitting was suspended.

At 7:58 p.m., the sitting resumed.

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, Massimo Pacetti, Charles Hubbard, Paddy Torsney, John Bryden, Julian Reed, Beth Phinney (8)

After debate, Clause 13, as amended, carried on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Massimo Pacetti, Charles Hubbard, Paddy Torsney, John Bryden, Julian Reed, Beth Phinney (8)

NAYS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

ause 14 carried on division.

n Clause 15,

t Martin moved, --

at Bill C-7, in Clause 15, be amended by replacing line 9 on page 10 with the following:

powers and privileges of a self-governing entity,”

8:07 p.m., the sitting was suspended.

8:19 p.m., the sitting resumed.

ebate continued on the amendment.

fter debate, the question being put on the amendment, it was negatived on the following recorded division:

EAS: Yvan Loubier, Pat Martin (2)

AYS: Gérard Binet, Stan Dromisky, Massimo Pacetti, Charles Hubbard, Paddy Torsney, John Bryden, Julian Reed, Maurice Vellacott (8)

t Martin moved, --

at Bill C-7, in Clause 15, be amended by replacing line 9 on page 10 with the following:

powers and privileges of an indigenous nation,”

9:05 p.m., the sitting was suspended.

9:25 p.m., the sitting resumed.

ebate resumed on the amendment.

fter debate, the question being put on the amendment, it was negatived by a show of hands.

EAS: 3

AYS: 8

van Loubier moved, --

at Bill C-7, in Clause 15, be amended by replacing the phrase “natural person“ with “governments“.

fter debate, the question being put on the amendment, it was negatived on the following recorded division:

EAS: Yvan Loubier, Pat Martin (2)

AYS: Gérard Binet, Stan Dromisky, Massimo Pacetti, Charles Hubbard, Paddy Torsney, Anita Neville, Sue Barnes, John Maloney, Maurice Vellacott (9)

Pat Martin moved, --

That Bill C-7, in Clause 15, be amended by replacing lines 24 to 26 on page 10 with the following:

“subsection (1) do not have the effect of incorporating the band or abrogate or derogate from existing treaty or aboriginal rights.”

Pat Martin moved – That the Committee reconsider the following motion presented on Wednesday, April 2, 2003:

That the House of Commons Standing Committee on Aboriginal Affairs request the immediate release of any and all legal opinions that the Government of Canada has either developed or commissioned regarding whether any aspect of Bill C-7 infringes upon or derogates from any existing aboriginal or treaty rights, and whether Bill C-7 will have any affect or impact on the over two hundred plus outstanding court cases between First Nations and the government of Canada.

After debate, the question being put on the motion, it was negatived.

Debate continued on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, Massimo Pacetti, Charles Hubbard, Paddy Torsney, Anita Neville, Sue Barr, John Maloney, Maurice Vellacott (9)

After debate, Clause 15 carried on division.

On Clause 16,

Yvan Loubier moved, --

That Bill C-7, in Clause 16, subsection (1) be amended by replacing lines 33 to 35 with the following:

“(1) The existing inherent Aboriginal right of self-government, includes legislative authority for band purposes in relation to”

After debate, the question being put on the amendment, it was negatived by a show of hands.

YEAS: 2

NAYS: 9

Charles Hubbard moved, -- That Bill C-7, in Clause 16, be amended by replacing line 33 and 34 on page 10 with the following:

Laws applicable on reserves

16. (1) The council of a band may make laws, applicable on the

After debate, the question being put on the amendment, it was agreed to on division.

Charles Hubbard moved, -- That Bill C-7, in Clause 16, be amended by replacing line 2 on page 11 with the following:

of the band and the charging of fees for those services;

After debate, the question being put on the amendment, it was carried on division.

Maurice Vellacott moved, --

That Bill C-7, in Clause 16, be amended by replacing lines 12 and 13 on page 11 with the following:

“(i) residential tenancies, including grounds for and powers of eviction;”

After debate, the question being put on the amendment, it was agreed to on division.

After debate, Clause 16, as amended, carried on division.

At 11:15 p.m., on motion of Maurice Vellacott, it was agreed – That the Committee now adjourn.

At 11:15 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 67

Thursday, May 1st, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Andrew Beynon, General Counsel;

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Paul Salembier, Senior Counsel.



MINUTES OF PROCEEDINGS

Meeting No. 67

Thursday, May 1st, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 8:01 a.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Julian Reed, Maurice Vellacott.

Acting Members present: Derek Lee for Anita Neville, Paul Macklin for Julian Reed, Judi Longfield for Benoît Serré; Dominic LeBlanc for John Godfrey, Dominic LeBlanc for Anita Neville, Derek Lee for Stan Dromisky, Joe Comartin for Pat Martin, Paul Macklin for Benoît Serré.

In attendance: From the Committees Branch: Jeffrey LeBlanc and Michael Lukyniuk, Legislative Clerks; Bibiane Ouellette, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley and Katharine Dunkley, Analysts.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Andrew Beynon, General Counsel; Paul Salembier, Senior Counsel.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee resumed Clause-by-Clause consideration of the Bill.

At 8:01 a.m., the sitting was suspended.

At 8:35 a.m., the sitting resumed.

On Clause 16,

Maurice Vellacott moved, --

That Bill C-7, in Clause 16, be amended by replacing lines 26 to 29 on page 11 with the following:

“under paragraphs (a) to (n);

(p) any matter arising out of or ancillary to the exercise of powers under this subsection; and

(q) the breakdown of marriage on reserve, including common law relationships, and the division of marital property, that shall be consistent with the principles of the respective provincial laws.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier (2)

NAYS : Gérard Binet, Stan Dromisky, Dominic LeBlanc, Charles Hubbard, Paul Macklin, Judi Longfield, Pat Martin (7)

Pat Martin moved, --

That Bill C-7, in Clause 16, be amended by adding after line 29 on page 11 the following:

“(1.1) The power of a band council to make laws under subsection (1) does not

(a) abrogate or derogate from any existing aboriginal or treaty rights of the aboriginal peoples of Canada or the protection accorded to such rights under section 35 of the *Constitution Act, 1982*; and

(b) does not limit any authority which may be vested in the band council by virtue of the inherent right of self-government of an aboriginal people.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Dominic LeBlanc, Charles Hubbard, Nancy Karetak-Lindell, Derek Lee, Julian Reed, Judi Longfield (7)

Pat Martin moved, --

That Bill C-7, in Clause 16, be amended by deleting lines 30 to 34 on page 11.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Dominic LeBlanc, Julian Reed, Judi Longfield (8)

Pat Martin moved, --

That Bill C-7, in Clause 16, be amended by replacing lines 30 to 34 on page 11 with the following:

“(2) In the event of an irreconcilable conflict between a law made pursuant to an authority vested by this section or an Act of Parliament or any regulations made pursuant to an Act of Parliament, the conflicts shall be resolved through a conflict resolution mechanism negotiated between the band and the Minister.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Dominic LeBlanc, Julian Reed, Judi Longfield (7)

Pat Martin moved, --

That Bill C-7, in Clause 16, be amended by replacing lines 33 and 34 on page 11 with the following:

“Act of Parliament, the law made under this section prevails to the extent of the conflict.”

At 10:37 a.m., the sitting was suspended.

At 10:40 a.m., the sitting resumed.

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Dominic LeBlanc, Julian Reed, Judi Longfield, Maurice Vellacott (9)

Charles Hubbard moved, -- That Bill C-7, in Clause 16, be amended by adding after line 34 on page 11 the following:

Disposal of waste

(3) Notwithstanding subsection (2), while a band law is in force in relation to the disposal of waste on reserve lands, regulations made under the Indian Act or this Act respecting the disposal of waste do not apply in respect of those lands.

At 11:12 a.m., the sitting was suspended.

At 11:21 a.m., the sitting resumed.

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was agreed to unanimously by a show of hands.

YEAS: 10

NAYS: 0

After debate, Clause 16, carried on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Dominic LeBlanc, Julian Reed, Judi Longfield (8)

NAYS: Yvan Loubier, Pat Martin (2)

Charles Hubbard moved – That the Committee adjourn for the day following completion of its deliberations related to Clause 17.

The question being put on the motion, it was agreed to by a show of hands:

YEAS: 9

NAYS: 1

On Clause 17,

Yvan Loubier moved, --

That Bill C-7, in Clause 17, subsection (1) be amended by replacing lines 1 and 2 with the following:

“(1) The existing inherent Aboriginal right of self-government, includes legislative authority for band purposes in relation to”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Derek Lee, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Dominic LeBlanc, Judi Reed, Judi Longfield (8)

At 12:16 p.m., the sitting was suspended.

At 12:18 p.m., the sitting resumed.

Charles Hubbard moved, -- That Bill C-7, in Clause 17, be amended by replacing lines 1 and 2 on page 12 with the following:

Laws re: resources and entitlements

17. (1) The council of a band may make laws in relation to

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Derek Lee, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Dominic LeBlanc, Paul Macklin, David Chatters (8)

NAYS: Yvan Loubier, Joe Comartin (2)

On motion of Charles Hubbard, it was agreed – That the Committee do now adjourn until Monday, May 5, 2003 at 9:00 a.m.

At 12:47 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 68

Monday, May 5, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Andrew Beynon, General Counsel;

Dave Boileau, Senior Adviser, First Nations Governance for Policy Development
Directorate, Department of Indian Affairs and Northern Development;

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Paul Salembier, Senior Counsel.



MINUTES OF PROCEEDINGS

Meeting No. 68

Monday, May 5, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 9:07 a.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed, Maurice Vellacott.

Acting Members present: Massimo Pacetti for Nancy Karetak-Lindell, Derek Lee for Stan Dromisky, John O'Reilly for John Godfrey, Dick Proctor for Pat Martin, Serge Marcil for Julian Reed, Paul Crête for Yvan Loubier; Libby Davies for Pat Martin, Marcel Proulx for Stan Dromisky, Réal Ménard for Yvan Loubier, Judi Longfield for Benoît Serré, Mark Assad for John Godfrey, Réal Ménard for Serge Cardin, Beth Phinney for Stan Dromisky, Roy Cullen for Anita Neville, John Maloney for John Godfrey.

In attendance: From the Committees Branch: Joann Garbig, Susan Baldwin, Jeffrey LeBlanc and Jean-Michel Roy, Legislative Clerks; Richard Dupuis and Danielle Parent-Bélisle, Committee Clerks.

In attendance: From the Library of Parliament: Jean-Luc Bourdages; Mary Hurley, and Katharine Dunkley, Analysts.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Andrew Beynon, General Counsel; Paul Salembier, Senior Counsel.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee resumed Clause-by-Clause consideration of the Bill.

On Clause 17,

Pat Martin moved, --

That Bill C-7, in Clause 17, be amended by replacing lines 3 to 7 on page 12 with the following:

“(a) the protection, conservation and management of natural resources within the band’s reserve, including wildlife and fish, and the disposition for personal and commercial use of natural resources, other than resources that can only be”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Réal Ménard, Pat Martin (2)

NAYS: Gérard Binet, Mark Assad, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Judi Longfield, Maurice Vellacott (8)

Charles Hubbard moved, -- That Bill C-7, in Clause 17, be amended by replacing lines 6 to 9 on page 12 with the following:

mercial use of soil, sand, gravel, clay, marl, peat, timber, mushrooms, plants and plant products;

Pat Martin moved -- That the amendment be further amended by adding the following after "plants and plant products":

"oil, natural gas, copper, diamonds, nickel, gold, silver, asbestos, molybdenum, zinc, iron or uranium, fish, wildlife, game, and any other minerals of commercial value."

Following debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Réal Ménard, Yvan Loubier, Pat Martin (4)

NAYS: Gérard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Judi Longfield (7)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed (6)

NAYS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

Yvan Loubier moved, --

That Bill C-7, in Clause 17, be amended by deleting lines 35 to 38 on page 12.

Pat Martin moved -- That the amendment be further amended by inserting the words:

"h) persons whose names have been deleted from the band list;"

The Chairman ruled the proposed sub-amendment out of order on the grounds that it did not relate directly to the amendment as proposed.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Judi Longfield, Maurice Vellacott (8)

Pat Martin moved, --

That Bill C-7, in Clause 17, be amended by adding after line 46 on page 12 the following:

“(1.1) The power of a band council to make laws under subsection (1) does not

(a) abrogate or derogate from any existing aboriginal or treaty rights of the aboriginal peoples of Canada or the protection accorded to such rights under section 35 of the *Constitution Act, 1982*; and

(b) does not limit any authority which may be vested in the band council by virtue of the inherent right of self-government of an aboriginal people.”

Yvan Loubier moved – That the amendment be further amended by adding the following:

“c) does not limit any powers of the chiefs under a treaty”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Judi Longfield (6)

Debate continued on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Judi Longfield (8)

Pat Martin moved, --

That Bill C-7, in Clause 17, be amended by deleting lines 1 to 5 on page 13.

Pat Martin moved – That the Committee adjourn until such time as Paul Martin, M.P., indicates his intentions with respect to the Bill.

The question being put on the motion, it was negatived by a show of hands.

YEAS: 2

NAYS: 8

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived by a show of hands.

YEAS: 2

NAYS: 8

Pat Martin moved, --

That Bill C-7, in Clause 17, be amended by replacing lines 1 to 5 on page 13 with the following:

“(2) In the event of an irreconcilable conflict between a law made pursuant to an authority vested by this section and an Act of Parliament or any regulations made under this Act or the *Indian Act*, the conflict shall be resolved through a conflict resolution mechanism negotiated between the band and the Minister.”

On motion of Charles Hubbard, it was agreed – That the Committee suspend its sitting until 3:15 p.m. this day.

At 1:57 p.m., the sitting was suspended.

At 3:22 p.m., the sitting resumed.

Debate resumed on the amendment of Pat Martin.

Yvan Loubier moved – That the amendment be further amended by adding after the word “Minister” the following:

“and the result of the resolution tabled in Parliament and referred to the appropriate Committee.”

On motion of Maurice Vellacott, it was agreed by unanimous consent – That the Committee suspend until 5 minutes after the vote in the House.

At 3:54 p.m., the sitting was suspended.

At 4:27 p.m., the sitting resumed.

Debate resumed on the sub-amendment.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott (1)

NAYS : Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Judi Longfield, Yvan Loubier, Pat Martin (10)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott (1)

NAYS : Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Judi Longfield, Yvan Loubier, Pat Martin (10)

Pat Martin moved, --

That Bill C-7, in Clause 17, be amended by replacing lines 4 and 5 on page 13 with the following:

“Act or the *Indian Act*, the law made under this section prevails to the extent of the conflict.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS : Gérard Binet, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Judi Longfield, Maurice Vellacott (8)

Charles Hubbard moved, -- That Bill C-7, in Clause 17, be amended by adding after line 5 on page 13 the following:

Disposition of timber

(3) Notwithstanding subsection (2), while a band law in relation to the disposition of timber from reserve lands is in force, regulations respecting the cutting of timber made under section 57 of the Indian Act do not apply in respect of those lands.

Disposition of resources

(4) Notwithstanding subsection (2), while a band law is in force that relates to the disposition from reserve lands of soil, sand, gravel, clay, marl, peat, timber, mushrooms, plants or plant products, subsection 58(4) of the Indian Act does not apply in respect of their disposition from those lands.

Removal of resources

(5) Notwithstanding subsection (2), while a band law is in force that relates to the removal from reserve lands of a resource referred to in section 93 of the Indian Act, that section does not apply in respect of its removal from those lands or its possession.

Trespassing

(6) Notwithstanding subsection (2), while a band law is in force that relates to trespassing on the band's reserve, section 30 and paragraph 31(1)(c) of the Indian Act do not apply in respect of that reserve.

Moneys derived from resources

(7) Moneys derived from the disposition under a band law of a resource referred to in subsection (4) are not Indian moneys for the purposes of the Indian Act or public money for the purposes of the Financial Administration Act.

After debate, the question being put on the amendment, it was agreed to by a show of hands.

YEAS: 8

NAYS: 2

Charles Hubbard moved, -- That Bill C-7 be amended by adding after line 5 on page 13 the following:

Laws re inspections

17.1 A band law made under section 16 or 17 for the regulation of an activity on reserve lands may provide for the inspection by a band enforcement officer of any place on reserve lands in which that activity is carried on.

Pat Martin moved – That the amendment be further amended by adding the following:

“a band law made under section 16 or 17 for the regulation of an activity on reserve lands which provides for inspection by a band enforcement officer must be subject to a community based approval process.”

After debate, the question being put on the sub-amendment, it was negated by a show of hands.

YEAS: 1

NAYS: 8

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was carried on the following recorded division:

YEAS: Gérard Binet, Beth Phinney, John Maloney, Charles Hubbard, Nancy Karetak-Lindell, Roy Cullen, Julian Reed, Judi Longfield (8)

NAYS: Maurice Vellacott, Yvan Loubier (2)

After debate, Clause 17, as amended, carried on division.

On Clause 18,

Yvan Loubier moved, --

That Bill C-7, in Clause 18, subsection (1) be amended by replacing lines 6 and 7 with the following:

“(1) The existing inherent Aboriginal right of self-government, includes legislative authority for band purposes in relation to”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, John Maloney, Charles Hubbard, Nancy Karetak-Lindell, Roy Cullen, Benoît Serré, Maurice Vellacott (7)

At 7:45 p.m., the sitting was suspended.

At 8:05 p.m., the sitting resumed.

Pat Martin moved, --

That Bill C-7, in Clause 18, be amended by adding after line 30 on page 13 the following:

“(1.1) The power of a band council to make laws under subsection (1) does not

(a) abrogate or derogate from any existing aboriginal or treaty rights of the aboriginal peoples of Canada or the protection accorded to such rights under section 35 of the *Constitution Act, 1982*; and

(b) does not limit any authority which may be vested in the band council by virtue of the inherent right of self-government of an aboriginal people.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Beth Phinney, John Maloney, Charles Hubbard, Nancy Karetak-Lindell, Roy Cullen, Julian Reed, Judi Longfield, Maurice Vellacott (9)

Yvan Loubier moved, --

That Bill C-7, in Clause 18, be amended by deleting lines 1 to 6 on page 14.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS : Gérard Binet, Beth Phinney, John Maloney, Charles Hubbard, Nancy Karetak-Lindell, Roy Cullen, Julian Reed, Judi Longfield, Maurice Vellacott (9)

Pat Martin moved, --

That Bill C-7, in Clause 18, be amended by replacing lines 1 to 6 on page 14 with the following:

“(3) In the event of an irreconcilable conflict between a law made pursuant to an authority vested by this section and an Act of Parliament, any regulations under this Act that are applicable to the band or any code adopted by the band, the conflict shall be resolved through a conflict resolution mechanism negotiated between the band and the Minister.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Marcel Proulx, John Maloney, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Judi Longfield, Maurice Vellacott (8)

Pat Martin moved, --

That Bill C-7, in Clause 18, be amended by replacing lines 5 and 6 on page 14 with the following:

“by the band, the law made under this section prevails to the extent of the conflict.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Libby Davies (2)

NAYS: Marcel Proulx, John Maloney, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Judy Longfield (6)

Clause 18 carried on division.

On Clause 19,

Charles Hubbard moved, -- That Bill C-7, in Clause 19, be amended by replacing line 7 on page 14 with the following:

Contravention of band laws

19. (1) A band law made under section 16 or 17 may provide that a

After debate, the question being put on the amendment, it was agreed to by a show of hands.

YEAS: 8

NAYS: 3

Paul Crête moved, --

That Bill C-7, in Clause 19, be amended by replacing line 10 on page 14 with the following:

“conviction by a fine not exceeding \$15,000 or”

Libby Davies moved – That the amendment be further amended by replacing “not exceeding \$15,000” with the following:

“deemed appropriate by the band.”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Paul Crête, Libby Davies (3)

NAYS: Gérard Binet, Marcel Proulx, John Maloney, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Réal Ménard, Judi Longfield (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Paul Crête, Dick Proctor (2)

NAYS: Gérard Binet, Marcel Proulx, John Maloney, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Serge Marcil, Judi Longfield, Maurice Vellacott (9)

Paul Crête moved, --

That Bill C-7, in Clause 19, be amended by replacing line 11 on page 14 with the following:

“a term of imprisonment not exceeding six”

Dick Proctor moved – That the amendment be further amended by replacing “not exceeding six” with the following:

“deemed appropriate by the band”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Paul Crête, Dick Proctor (2)

NAYS: Gérard Binet, Derek Lee, John Maloney, Charles Hubbard, Massimo Pacetti, Anita Neville, Serge Marcil, Maurice Vellacott (8)

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Paul Crête, Dick Proctor (2)

NAYS: Gérard Binet, Derek Lee, John Maloney, Charles Hubbard, Massimo Pacetti, Anita Neville, Serge Marcil, Maurice Vellacott (8)

Charles Hubbard moved, -- That Bill C-7, in Clause 19, be amended by replacing lines 15 and 16 on page 14 with the following:

of a band law made under paragraph 16(1)(e) or 17(1)(a) or (b) may be

After debate, the question being put on the amendment, it was carried.

At 12:28 a.m., the sitting was suspended for lack of quorum.

At 12:57 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 69

Tuesday, May 6, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Paul Salembier, Senior Counsel.

Department of Justice Canada:

Lucie Angers, Senior Counsel, Criminal Law Policy Section.



MINUTES OF PROCEEDINGS

Meeting No. 69

Tuesday, May 6, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 9:31 a.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Pat Martin, Anita Neville, Julian Reed, Maurice Vellacott.

Acting Members present: Réal Ménard for Yvan Loubier, Karen Redman for Benoît Serré, Paddy Torsney for John Godfrey, Colleen Beaumier for Nancy Karetak-Lindell, Mario Laframboise for Serge Cardin, Joe McGuire for Julian Reed, Joe McGuire for Benoît Serré, Myron Thompson for Brian Pallister, Dominic LeBlanc for John Godfrey, Janko Peric for Anita Neville, Janko Peric for Benoît Serré, John O'Reilly for Benoît Serré, Dominic LeBlanc for Gérard Binet, Alan Tonks for Gérard Binet, Dominic LeBlanc for Julian Reed, Dominic LeBlanc for Gérard Binet, Dominic LeBlanc for Benoît Serré, Brian Massé for Pat Martin.

In attendance: From the Committees Branch: Jean-Michel Roy, Michael Lukyniuk and Jeffrey LeBlanc, Legislative Clerks; Jean-François Pagé, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley and Tonina Simeone, Analysts.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Paul Salembier, Senior Counsel; Lucie Angers, Senior Counsel, Criminal Law Policy Section, Justice Canada; Catherine MacLean, Counsel, Lands and Trusts, Socio-Economic Policy and Programs and Corporate Services, Justice Canada.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee resumed Clause-by-Clause consideration of the Bill.

On Clause 19,

Debate resumed on the amendment of Yvan Loubier – That Bill C-7, in Clause 19, be amended by replacing line 11 on page 14 with the following:

“a term of imprisonment not exceeding six”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Réal Ménard, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, Paddy Torsney, Charles Hubbard, Anita Neville, Julian Reed, Karen Redman (7)

Charles Hubbard moved, -- That Bill C-7, in Clause 19, be amended by replacing lines 15 and 16 on page 14 with the following:

of a band law made under paragraph 16(1)(e) or 17(1)(a) or (b) may be

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Réal Ménard, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Colleen Beaumier, Anita Neville, Julian Reed, Karen Redman (8)

Réal Ménard moved, --

That Bill C-7, in Clause 19, be amended by replacing line 18 on page 14 with the following:

“\$500,000 or a term of imprisonment not”

After debate, Pat Martin moved – That the amendment be further amended by replacing “\$500,000” with “\$1,000,000”.

At 10:36 a.m., the sitting was suspended for lack of quorum.

At 10:55 a.m., the sitting resumed.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Mario Laframboise, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Joe McGuire (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Mario Laframboise, Pat Martin (3)

NAYS: NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Joe McGuire (8)

On motion of Maurice Vellacott, it was agreed – That the sitting be suspended.

At 11:47 a.m., the sitting was suspended.

At 12:13 p.m., the sitting resumed.

Mario Laframboise moved, --

That Bill C-7, in Clause 19, be amended by replacing line 19 on page 14 with the following:

“exceeding one year, or by both.”

At 12:17 p.m., the sitting was suspended for lack of quorum.

At 12:20 p.m., the sitting resumed.

At 12:20 p.m., the sitting was suspended.

At 12:25 p.m., the sitting resumed.

Debate resumed on the amendment.

Pat Martin moved – That the motion be further amended by replacing “one year” with “two years”.

At 1:29 p.m., the sitting was suspended.

At 1:30 p.m., the sitting resumed.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: NAYS: Gérard Binet, Dominic LeBlanc, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Janko Peric, Maurice Vellacott (7)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, Dominic LeBlanc, Charles Hubbard, Anita Neville, Julian Reed, Janko Peric (7)

Clause 19, as amended, carried on division.

Clauses 20, 21, and 22 carried severally on division.

On Clause 23,

Charles Hubbard moved, -- That Bill C-7, in Clause 23, be amended by replacing lines 26 to 38 on page 15 with the following:

Designation of band enforcement officers.

23. (1) The council of a band may employ any person as a band enforcement officer for the purpose of conducting inspections and searches on reserve lands of the band, and shall furnish each officer with a certificate specifying the provisions of band laws in respect of which the officer may conduct them.

Production of certificate

(2) When conducting an inspection or search of a place, a band enforcement officer shall, on request, produce the certificate to the person appearing to be in charge of the place.

On motion of Maurice Vellacott, by unanimous consent, it was agreed – That the word “qualified” be inserted after the words “may employ any”.

At 1:55 p.m., the sitting was suspended.

At 3:35 p.m., the sitting resumed.

Debate resumed on the amendment, as amended.

Pat Martin moved – That the amendment, as amended, be further amended by adding in Clause 23(2) after the word “place”, the following:

“and clearly explain to the person the purpose of the inspection and the nature of the violation the officer suspects may be taking place.”

At 3:54 p.m., the sitting was suspended for lack of quorum.

At 4:00 p.m., the sitting resumed.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, John O'Reilly (7)

Debate resumed on the amendment, as amended.

Yvan Loubier moved – That the amendment, as amended, be further amended by adding, to paragraph (2), the following:

“apparently responsible for the proposed location (and verify his/her identity)”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Dominic LeBlanc (7)

On motion of Maurice Vellacott, it was agreed, by unanimous consent – That the amendment, as amended, be further amended by adding after the words “band laws” in Clause 23(1) the following:

“made under section 16 and 17”

After debate, the question being put on the amendment, as amended, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Dominic LeBlanc, Maurice Vellacott (8)

NAYS: Yvan Loubier, Pat Martin (2)

After debate, Clause 23, as amended, carried on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Dominic LeBlanc (7)

NAYS: Yvan Loubier, Pat Martin, Maurice Vellacott (3)

On Clause 24,

Maurice Vellacott moved, -- That Bill C-7, in Clause 24, be amended by replacing lines 39 to 45 on page 15 and lines 1 to 4 on page 16 with the following:

“24. (1) A band enforcement officer to whom a warrant has been issued under subsection 26(3) may, at any reasonable time, carry out an inspection if the officer believes on reasonable grounds that there is non-compliance with a band law.”

Yvan Loubier moved – That the amendment be further amended by inserting, after the word “inspection”, the following:

“Exclusive of living quarters”

At 6:09 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 70

Wednesday, May 7, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Paul Salembier, Senior Counsel.

Department of Justice:

Lucie Angers, Senior Counsel, Criminal Law Policy Section.



MINUTES OF PROCEEDINGS

Meeting No. 70

Wednesday, May 7, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 3:25 p.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed, Benoît Serré, Maurice Vellacott.

Acting Members present: David Price for John Godfrey, Claude Duplain for Benoît Serré, Beth Phinney for John Godfrey, John Bryden for Nancy Karetak-Lindell, Jocelyne Girard-Bujold for Serge Cardin, Karen Redman for Julian Reed, Judy Sgro for Stan Dromisky, Brent St-Denis for John Godfrey, Michel Guimond for Yvan Loubier, Libby Davies for Pat Martin, Svend Robinson for Pat Martin, Réal Ménard for Yvan Loubier, Paul Szabo for Anita Neville, Judy Wasylycia-Leis for Pat Martin.

In attendance: From the Committees Branch: Jeffrey LeBlanc and Susan Baldwin, Legislative Clerks; Bill Farrell, Committee Clerk.

In attendance: From the Library of Parliament: Mary Hurley and Carol Hilling, Analysts.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Paul Salembier, Senior Counsel; Lucie Angers, Senior Counsel, Criminal Law Policy Section, Department of Justice.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee resumed Clause-by-Clause consideration of the Bill.

On Clause 24,

Debate resumed on the sub-amendment of Yvan Loubier, – That the amendment be further amended by inserting, after the word “inspection”, the following:

“Exclusive of living quarters”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, David Price, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Benoît Serré (8)

Debate resumed on the amendment of Maurice Vellacott, --

That Bill C-7, in Clause 24, be amended by replacing lines 39 to 45 on page 15 and lines 1 to 4 on page 16 with the following:

“24. (1) A band enforcement officer to whom a warrant has been issued under subsection 26(3) may, at any reasonable time, carry out an inspection if the officer believes on reasonable grounds that there is non-compliance with a band law.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, David Price, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Benoît Serré (8)

Charles Hubbard moved, -- That Bill C-7, in Clause 24, be amended by replacing lines 39 to 45 on page 15 and lines 1 to 19 on page 16 with the following:

Dismissal of band enforcement officers.

24. A band enforcement officer may be dismissed only with the concurrence of the impartial person or body authorized by the band for the purposes of section 11.

Pat Martin moved – That the amendment be further amended by adding the following:

“and the band officer shall have access to legal counsel, advice, and representation of his choice and the cost of said legal counsel shall be borne by the Band Council.”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, David Price, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Benoît Serré (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, David Price, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Benoît Serré, Maurice Vellacott (9)

NAYS: Yvan Loubier, Pat Martin (2)

Clause 24, as amended, carried on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, David Price, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Benoît Serré (8)

NAYS : Maurice Vellacott, Yvan Loubier, Pat Martin (3)

On Clause 25,

Charles Hubbard moved, -- That Bill C-7, in Clause 25, be amended by replacing lines 20 to 30 on page 16 with the following:

Inspections by band enforcement officers

25. Where a band law for the regulation of an activity provides for the inspection of a place on reserve lands, a band enforcement officer may conduct an inspection of the place in accordance with the band law after advising the person appearing to be in charge of the place of the purpose of the inspection.

Yvan Loubier moved – That the amendment be further amended by adding after “of the place” the following:

“, other than a dwelling-place,”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, David Price, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Claude Duplain (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, David Price, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Claude Duplain, Maurice Vellacott (8)

NAYS: Yvan Loubier, Pat Martin (2)

Clause 25, as amended, carried on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, David Price, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Claude Duplain (7)

NAYS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

On Clause 26,

Charles Hubbard moved, -- That Bill C-7, in Clause 26, be amended by replacing lines 31 to 41 on page 16 and lines 1 to 17 on page 17 with the following:

Search conducted with warrant

26. (1) Subject to section 27, a search for the purpose of enforcing a band law may be conducted only in accordance with a warrant issued under subsection (2).

Issuance of warrant on application

(2) A justice of the peace may issue a warrant authorizing a band enforcement officer or peace officer to conduct a search of a place on reserve lands, subject to any conditions that may be specified in the warrant, where on ex parte application the justice is satisfied by information on oath that there are reasonable grounds to believe that there is in the place

(a) any thing on or in respect of which an offence under a band law is being or has been committed; or

(b) any thing that will afford evidence with respect to the commission of an offence under a band law.

Debate arose thereon.

Pat Martin moved – That the amendment be amended by adding after “(2) A justice of the peace” the following:

“or an elder’s council”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Beth Phinney, Charles Hubbard, John Bryden, Anita Neville, Claude Duplain (6)

On motion of Yvan Loubier, it was negatived – That the Committee suspend for ten minutes.

Debate resumed on the amendment.

Debate arose thereon.

Yvan Loubier moved – That the amendment be further amended by adding, in paragraph (2), after the words “on reserve lands”, the following:

“other than a dwelling place”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Jocelyn Girard-Bujold, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Beth Phinney, Charles Hubbard, John Bryden, Anita Neville, Julian Reed, Claude Duplain, Maurice Vellacott (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Beth Phinney, Charles Hubbard, John Bryden, Anita Neville, Karen Redman, Claude Duplain, Maurice Vellacott (8)

NAYS: Jocelyn Girard-Bujold, Yvan Loubier, Pat Martin (3)

Clause 26, as amended, carried on division.

On Clause 27,

Charles Hubbard moved, -- That Bill C-7, in Clause 27, be amended by replacing lines 18 to 27 on page 17 with the following:

Search without warrant

27. (1) Subject to subsection (2), a band enforcement officer or peace officer may conduct a search without a warrant for the purpose of enforcing a band law made under paragraph 16(1)(a), (l) or (n) or 17(1)(a) or (b) if the conditions for obtaining a warrant exist but the delay necessary to obtain a warrant would likely

(a) entail a risk of imminent bodily harm or death to any person; or

(b) cause the imminent loss or destruction of evidence relating to an offence under a band law.

Dwelling

(2) No search of a dwelling may be conducted without a warrant.

Debate arose thereon.

Pat Martin moved – That the amendment be further amended by adding after the word “dwelling” the words “or any place during traditional ceremonies” and removing the words “without a warrant.”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Jocelyn Girard-Bujold, Pat Martin (2)

NAYS: Gérard Binet, Judy Sgro, Beth Phinney, Charles Hubbard, John Bryden, Anita Neville, Karen Redman, Claude Duplain (8)

Debate resumed on the amendment.

Debate arose thereon.

Jocelyn Girard-Bujold moved – That the amendment be further amended by adding after “dwelling” the following:

“or a sacred site of the first nation”

At 8:52 p.m., the sitting was suspended.

At 9:14 p.m., the sitting resumed.

Debate resumed on the sub-amendment.

At 9:15 p.m., the sitting was suspended.

At 9:22 p.m., the sitting resumed.

Debate resumed on the sub-amendment.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Jocelyn Girard-Bujold, Michel Guimond, Libby Davies (3)

NAYS: Gérard Binet, Stan Dromisky, Brent St-Denis, Charles Hubbard, John Bryden, Anita Neville, Karen Redman, Claude Duplain, Maurice Vellacott (9)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Brent St-Denis, Charles Hubbard, John Bryden, Anita Neville, Karen Redman, Claude Duplain (8)

NAYS: Maurice Vellacott, Jocelyn Girard-Bujold, Michel Guimond, Libby Davies (4)

Clause 27, as amended, carried on division.

On Clause 28,

Charles Hubbard moved, -- That Bill C-7, in Clause 28, be amended by replacing lines 28 to 31 on page 17 with the following:

Use of force

28. (1) A band enforcement officer shall not use force in conducting an inspection or search.

Warrant authorizing force

(2) A peace officer may use force in conducting a search under a warrant if the use of force is specifically authorized in the warrant.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Brent St-Denis, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Karen Redman, Claude Duplain, Maurice Vellacott (8)

NAYS: Jocelyn Girard-Bujold, Michel Guimond, Libby Davies (3)

Clause 28, as amended, carried on division.

On Clause 29,

Charles Hubbard moved, -- That Bill C-7, in Clause 29, be amended by replacing lines 32 to 36 on page 17 with the following:

Operation of office equipment

29. A band enforcement officer may, where authorized by a band law providing for inspections or by a warrant issued for a search,

(a) use any computer system at that place; and

(b) use any copying or printing equipment at that place to copy or print any electronic data, books, records or other documents, and remove the copy or printout for examination.

Debate arose thereon.

Svend Robinson moved – That the amendment be further amended by adding after the word “may” the following:

“only when authorized by the owner or owners and”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Réal Ménard, Svend Robinson (2)

NAYS: Gérard Binet, Brent St-Denis, Charles Hubbard, Nancy Karetak-Lindell, Paul Szabo, Karen Redman, Claude Duplain, Maurice Vellacott (8)

Debate resumed on the amendment.

Debate arose thereon.

Réal Ménard moved – That the amendment be further amended by adding after the word “may” they following:

“without violating any rights or customs of the aboriginal nations”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Réal Ménard, Judy Wasylycia-Leis (3)

NAYS: Gérard Binet, Stan Dromisky, Brent St-Denis, Charles Hubbard, Nancy Karetak-Lindell, Paul Szabo, Karen Redman, Claude Duplain (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Brent St-Denis, Charles Hubbard, Nancy Karetak-Lindell, Paul Szabo, Karen Redman, Claude Duplain (8)

NAYS: Maurice Vellacott, Réal Ménard, Judy Wasylycia-Leis (3)

The question “Shall Clause 29, as amended, carry?” was put.

Debate arose thereon.

At 12:04 a.m., on motion of Maurice Vellacott, it was agreed – That the Committee adjourn until 9:00 a.m., Thursday, May 8, 2003.

At 12:04 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 71

Thursday, May 8, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services.

Department of Justice:

Lucie Angers, Senior Counsel, Criminal Law Policy Section.



MINUTES OF PROCEEDINGS

Meeting No. 71

Thursday, May 8, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 9:02 a.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Benoît Serré, Maurice Vellacott.

Acting Members present: John Finlay for John Godfrey, Beth Phinney for Julian Reed.

In attendance: From the Committees Directorate: Michael Lukyniuk and Jeffrey LeBlanc, Legislative Clerks.

In attendance: From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Geneviève Thériault, Senior Counsel; Lucie Angers, Senior Counsel, Criminal Law Policy Section, Department of Justice.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee resumed Clause-by-Clause consideration of the Bill.

Debate resumed on the motion, "Shall Clause 29, as amended, carry?"

After debate, the question being put on the motion, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, John Finlay, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Beth Phinney, Benoît Serré (8)

NAYS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

Accordingly, Clause 29, as amended, carried.

On new Clause 29.1 and 29.2

Charles Hubbard moved, -- That Bill C-7 be amended by adding after line 36 on page 17 the following:

Duty to assist with inspection or search

29.1 The owner of - or any person who is in possession or control of - a place that is inspected or searched shall give the band enforcement officer or peace officer any assistance or information required to enable the officer to conduct the inspection or search.

Seizure during inspection or search

29.2 (1) A band enforcement officer or peace officer may seize any thing found in the course of an inspection or search that the officer believes on reasonable grounds will afford evidence of the commission of an offence under the band law in respect of which the inspection or search is being conducted.

Application of Criminal Code

(2) Sections 462.32 to 462.46 and 489.1 to 490.1 of the Criminal Code apply, with any modifications that are necessary, in respect of a thing seized under subsection (1).

Maurice Vellacott moved – That the amendment be amended by adding after the words “is being conducted”, in new Clause 29.2, the following:

“and must provide a receipt for anything seized to the owner or the person who is in possession of it.”

After debate, the question being put on the sub-amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, John Finlay, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Beth Phinney, Benoît Serré, Maurice Vellacott (9)

NAYS: Yvan Loubier, Pat Martin (2)

Debate resumed on the amendment, as amended.

Yvan Loubier moved – That the amendment, as amended, be further amended by adding after the word “place”, in new Clause 29.1, the following:

“other than a sacred site of the first nation”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Finlay, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Beth Phinney (7)

Debate continued on the amendment, as amended.

Pat Martin moved – That the amendment, as amended, be further amended by deleting the word “shall” in new Clause 29.1 and inserting the following:

“may or may not”

At 11:29 a.m., the sitting was suspended for lack of quorum.

At 11:30 a.m., the sitting resumed.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Finlay, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Benoît Serré (7)

Debate resumed on the amendment, as amended.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, John Finlay, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Beth Phinney (7)

NAYS: Yvan Loubier, Pat Martin (2)

At 11:40 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 72

Monday, May 12, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESS:

Department of Indian Affairs and Northern Development:

Mr. Paul Salembier, Senior Counsel.



MINUTES OF PROCEEDINGS

Meeting No. 72

Monday, May 12, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:34 p.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, Charles Hubbard, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed, Benoît Serré, Maurice Vellacott.

Acting Members present: Judi Longfield for Nancy Karetak-Lindell, Aileen Carroll for John Godfrey, Marlene Catterall for Nancy Karetak-Lindell, Roy Cullen for Nancy Karetak-Lindell, Rodger Cuzner for John Godfrey, Tony Tirabassi for Benoît Serré, Tony Tirabassi for Gérard Binet, John Finlay for Benoît Serré, Judi Longfield for Nancy Karetak-Lindell, Paul Szabo for Benoît Serré, John Bryden for Julian Reed.

In attendance: From the Committees Branch: Jeffrey LeBlanc and Joann Garbig, Legislative Clerks.

In attendance: From the Library of Parliament: Mary Hurley and Tonina Simeone, Analysts.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Paul Salembier, Senior Counsel.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee resumed Clause-by-Clause consideration of the Bill.

On Clause 30,

Yvan Loubier moved, --

That Bill C-7, in Clause 30, be amended by replacing lines 2 to 5 on page 18 with the following:

“establishment of a national governance centre that will assist bands or first nations with the development of governance codes.”

At 3:36 p.m., the sitting was suspended.

At 3:48 p.m., the sitting resumed.

Pat Martin moved – That the amendment be amended by replacing lines 2 to 5 on page 18 with the

following:

“establishment of regional governance centres that will assist bands with the development of governance codes consistent with culture, tradition, treaties and inherent rights”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, Aileen Carroll, Charles Hubbard, Marlene Catterall, Anita Neville, Julian Reed, Benoît Serré, Maurice Vellacott (9)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, Aileen Carroll, Charles Hubbard, Marlene Catterall, Anita Neville, Julian Reed, Benoît Serré, Maurice Vellacott (9)

Yvan Loubier moved, --

That Bill C-7, in Clause 30, be amended by replacing lines 8 to 13 on page 18 with the following:

“deposited in the band registry”

After debate, Pat Martin moved – That the amendment be amended by adding after the words “band registry” the following:

“in either French or English and in the First Nation’s own language”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, Aileen Carroll, Charles Hubbard, Marlene Catterall, Anita Neville, Julian Reed, Maurice Vellacott (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, Rodger Cuzner, Charles Hubbard, Marlene Catterall, Anita

Neville, Julian Reed, Tony Tirabassi, Maurice Vellacott (9)

At 5:58 p.m., the sitting was suspended.

At 6:24 p.m., the sitting resumed.

Maurice Vellacott moved, --

That Bill C-7, in Clause 30, be amended by replacing line 20 on page 18 with the following:

“payment of a nominal fee not to exceed the cost of copying, a band shall”

After debate, Yvan Loubier moved – That the amendment be amended by adding after the words “a band shall provide a copy” the following:

“in the first language of the particular First Nation”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Toni Tirabassi, Stan Dromisky, Rodger Cuzner, Charles Hubbard, Judi Longfield, Anita Neville, Julian Reed, John Finlay (8)

Debate resumed on the amendment.

Pat Martin moved – That the amendment be amended by adding after the word “payment” the following:

“of a fee to be determined by the Band administrator and escalated from year to year in accordance with the Consumer Price Index as set by the Federal Government”

At 7:19 p.m., the sitting was suspended.

At 7:22 p.m., the sitting resumed.

At 7:25 p.m., the sitting was suspended for lack of quorum.

At 7:31 p.m., the sitting resumed.

Debate resumed on the sub-amendment.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Pat Martin (1)

NAYS: Tony Tirabassi, Stan Dromisky, Charles Hubbard, Judi Longfield, Anita Neville, Julian Reed,

Paul Szabo, Maurice Vellacott (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Tony Tirabassi, Stan Dromisky, Charles Hubbard, Judi Longfield, Anita Neville, Julian Reed, Paul Szabo, Maurice Vellacott (8)

NAYS: Yvan Loubier, Pat Martin (2)

Charles Hubbard moved, -- That Bill C-7, in Clause 30, be amended

(a) by replacing lines 32 and 33 on page 18 with the following:

be taken of a code or band law made under this Act that has been deposited in the national registry and published by the registry in the manner prescribed by the regulations.

(b) by adding, after line 36 on page 18, the following:

Failure to deposit

(9) No code or band law is invalid by reason only that it was not deposited in, or published by, the national registry.

Contravention of unpublished law

(10) A person may be convicted of an offence under a band law that at the time of the alleged offence was not deposited in the national registry or not published, if it is proved that reasonable steps had been taken to bring the band law to the notice of that person.

After debate, Yvan Loubier moved -- That the amendment be amended by adding after the word "published" the following:

"in one or other of the official languages or in the language of the First Nation"

The Chairman moved the proposed sub-amendment out of order on the grounds that it corresponds to an earlier sub-amendment of a similar nature moved by Pat Martin and already negatived by the Committee.

At 8:21 p.m., the sitting was suspended for lack of quorum.

At 8:24 p.m., the sitting resumed.

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Stan Dromisky, Rodger Cuzner, Judi Longfield, Anita Neville, John Bryden, Paul Szabo (6)

NAYS: Tony Tirabassi, Yvan Loubier, Pat Martin (3)

Debate resumed on the motion, "Shall Clause 30, as amended, carry?"

After debate, the question being put on the motion, it was agreed to on the following recorded division:

YEAS: Tony Tirabassi, Stan Dromisky, Rodger Cuzner, Charles Hubbard, Judi Longfield, Anita Neville, Julian Reed, Paul Szabo (8)

NAYS: Yvan Loubier, Pat Martin (2)

Accordingly, Clause 30, as amended, carried.

At 8:53 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 73

Tuesday, May 13, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Paul Salembier, Senior Counsel.



PROCÈS-VERBAL

Séance n° 73

Le mardi 13 mai 2003

Le Comité permanent des affaires autochtones, du développement du Grand Nord et des ressources naturelles se réunit aujourd'hui à 9 h 10, dans la salle 237-C de l'édifice du Centre, sous la présidence de Raymond Bonin, président.

Membres du Comité présents : Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Julian Reed, Benoît Serré et Maurice Vellacott.

Membre substitut présent : Judi Longfield pour John Godfrey, John Bryden pour Julian Reed, John Bryden pour Anita Neville.

Aussi présents : *De la Direction des comités* : Jeffrey LeBlanc, greffier législatif. *De la Bibliothèque du Parlement* : Tonina Simeone, attachée de recherche.

Témoins : *Du ministère des Affaires indiennes et du Nord canadien* : Warren Johnson, sous-ministre adjoint, Services fonciers et fiduciaires; Paul Salembier, avocat-conseil.

Conformément à son ordre de renvoi du lundi 7 octobre 2002, le Comité reprend l'étude du projet de loi C-7, Loi concernant le choix des dirigeants, le gouvernement et l'obligation de rendre compte des bandes indiennes et modifiant certaines lois (*voir le procès-verbal du lundi 27 janvier 2003, séance n° 14*).

Le Comité procède à l'étude article par article du projet de loi.

Article 31,

Charles Hubbard propose, -- Que le projet de loi C-7, à l'article 31, soit modifié par substitution, aux lignes 37 et 38, page 18, de ce qui suit :

« l'article 4, notamment le règlement établissant la procédure relative à la tenue d'un vote et le règlement autorisant le conseil à nommer une personne pour surveiller la tenue d'un vote. »

Yvan Loubier propose, -- Que l'amendement soit modifié par adjonction de ce qui suit :

« après consultation avec le conseil de bande de la Première nation. »

Après débat, le sous-amendement, mis aux voix, est rejeté par le vote par appel nominal suivant :

POUR : Maurice Vellacott, Yvan Loubier, Pat Martin (3)

CONTRE : Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell,

Anita Neville, Julian Reed (7)

Le débat reprend sur l'amendement.

Pat Martin propose, -- Que l'amendement soit modifié par adjonction, après les mots « l'article 4 », de ce qui suit :

« après consultation de la bande et avec son consentement »

et par adjonction, après le mot « personne » de ce qui suit :

« à partir d'une liste de personnes compétentes et préautorisées à cette fin par le conseil de bande »

Après débat, le sous-amendement, mis aux voix, est rejeté par le vote par appel nominal suivant :

POUR : Yvan Loubier, Pat Martin (2)

CONTRE : Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, John Bryden, Benoît Serré (8)

Le débat reprend sur l'amendement.

Après débat, l'amendement, mis aux voix, est adopté par le vote par appel nominal suivant :

POUR : Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, John Bryden, Benoît Serré (8)

CONTRE : Yvan Loubier, Pat Martin (2)

Le débat reprend sur la motion « L'article 31 ainsi modifié doit-il être adopté? »

Après débat, la motion, mise aux voix, est adoptée par le vote par appel nominal suivant :

POUR : Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, John Bryden (7)

CONTRE : Yvan Loubier, Pat Martin (2)

Par conséquent, l'article 31, ainsi modifié, est adopté.

Article 32,

Pat Martin propose, -- Que le projet de loi C-7, à l'article 32, soit modifié par suppression des lignes 1 à 5, page 19.

Après débat, Yvan Loubier propose, -- Que l'amendement soit modifié par substitution, aux lignes 1 à 5, page 19, de ce qui suit :

« Un règlement établissant la procédure pour interjeter appel des résultats d'élection des membres ou des conseils, tels que définis par les Premières nations et en conformité avec leurs coutumes et traditions ou avec

toute disposition qui pourrait être prise par les Premières nations elles-mêmes pour revoir les résultats de ces élections. »

Le président déclare que le sous-amendement proposé est irrecevable parce qu'il n'est pas directement lié à l'amendement.

Le débat se poursuit sur l'amendement.

Après débat, l'amendement, mis aux voix, est rejeté par le vote par appel nominal suivant :

POUR : Yvan Loubier, Pat Martin (2)

CONTRE : Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, John Bryden, Julian Reed, Benoît Serré (8)

Charles Hubbard propose, -- Que le projet de loi C-7, à l'article 32, soit modifié par substitution aux lignes 1 à 5, page 19, de ce qui suit :

Appel d'élection au ministre

(2) Le règlement concernant le choix des dirigeants peut :

a) prévoir la nomination d'un directeur général des élections et de directeurs adjoints des élections;

b) prévoir que l'appel des résultats de l'élection des membres du conseil et les demandes de destitution des membres de leurs fonctions sont entendues par une personne désignée par le ministre, dans les cas où la compétence pour entendre ces appels ou ces demandes n'a pas été conférée à une personne ou à un organisme par un texte législatif visé au paragraphe 11(1);

c) autoriser la personne désignée :

(i) à contraindre une personne à comparaître pour interrogatoire sous serment,

(ii) à contraindre à la production de documents,

(iii) à rejeter l'appel ou la demande sans audition sur le fondement des motifs prévus par règlement.

Après débat, Yvan Loubier propose, -- Que l'amendement soit modifié par substitution aux lignes 1 à 5, de ce qui suit :

Prévoir un règlement comportant des dispositions concernant la procédure pour interjeter appel qui sont définies par les Premières nations en fonction des coutumes et traditions des Premières nations ou des règles de révision des résultats d'élection des membres du conseil qu'elles voudraient bien se donner.

Après débat, le sous-amendement, mis aux voix, est rejeté par le vote par appel nominal suivant :

POUR : Yvan Loubier, Pat Martin (2)

CONTRE : Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Julian Reed (6)

Le débat reprend sur l'amendement.

Pat Martin propose, -- Que l'amendement soit modifié par adjonction, après le mot « autoriser », à l'alinéa c), de ce qui suit ;

« une personne compétente et préautorisée à cette fin par le conseil des aînés des premières nations; »

Après débat, le sous-amendement, mis aux voix, est rejeté par le vote par appel nominal suivant :

POUR : Yvan Loubier, Pat Martin (2)

CONTRE : Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed (7)

Le débat reprend sur l'amendement.

Après débat, l'amendement, mis aux voix, est adopté par le vote par appel nominal suivant :

POUR : Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed (7)

CONTRE : Yvan Loubier, Pat Martin (2)

À 13 h 03, le Comité s'ajourne jusqu'à nouvelle convocation de la présidence.

Le greffier du Comité

Elizabeth B. Kingston

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 74

Wednesday, May 14, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Andrew Beynon, General Counsel;

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Geneviève Thériault, Senior Counsel, Lands, Trust and Corporate Services.



MINUTES OF PROCEEDINGS

Meeting No. 74

Wednesday, May 14, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:31 p.m. this day, in Room 269, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Julian Reed, Maurice Vellacott.

Acting Members present: Bernard Bigras for Yvan Loubier, Joe Comartin for Pat Martin, Alan Tonks for Gérard Binet, Joe McGuire for Anita Neville, Pierre Paquette for Serge Cardin, John Bryden for Benoît Serré, Roy Cullen for John Godfrey, Jocelyne Girard-Bujold for Yvan Loubier, John Maloney for Julian Reed.

In attendance: From the Committees Branch: Bill Farrell, Committee Clerk; Jeffrey LeBlanc, Legislative Clerk. *From the Library of Parliament:* Mary Hurley, Analyst.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Geneviève Thériault, Senior Counsel.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee resumed Clause-by-Clause consideration of the Bill.

On Clause 32,

Maurice Vellacott moved, --

That Bill C-7, in Clause 32, be amended by adding after line 5 on page 19 the following:

“(3) Regulations made under subsection (1) shall be automatically referred to the Standing Committee for recommendations.”

After debate, Bernard Bigras moved – That the amendment be amended by replacing the expression “Committee for recommendation” with the following:

Committee, which shall examine them with representatives of the First Nation concerned and make recommendations”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

EAS: Maurice Vellacott, Bernard Bigras, Joe Comartin (3)

AYS: Alan Tonks, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Joe McGuire, Julian Reed (7)

Debate resumed on the amendment.

After debate, Joe Comartin moved – That the amendment be amended by adding the following:

“of which members of the affected communities make up at least 50% of the membership”

The Chairman ruled the proposed sub-amendment out of order on the grounds that only Parliament itself can make determination respecting the composition of Parliamentary Committees. It cannot be accomplished by statute alone.

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Bernard Bigras, Joe Comartin (3)

NAYS: Alan Tonks, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Joe McGuire, Julian Reed (7)

Debate resumed on the motion, “Shall Clause 32, as amended, carry?”

Following debate, the question being put on the motion, it was agreed to on the following recorded division:

YEAS: Alan Tonks, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Joe McGuire, Julian Reed (7)

NAYS: Bernard Bigras, Joe Comartin (2)

Accordingly, Clause 32, as amended, carried.

On new Clause 32.1

Joe Comartin moved, --

That Bill C-7 be amended by adding after line 5 on page 19 the following new clause:

“32.1 Regulations made under section 32 do not apply to a band unless the band adopts those regulations by a vote of its eligible voters conducted in the same manner as a vote for the adoption of a code under section 4.”

At 5:00 p.m., the sitting was suspended for lack of quorum.

At 5:01 p.m., the sitting resumed.

Following debate, Bernard Bigras moved – That the amendment be amended by adding, at the end of Clause 32.1, the following:

“and in accordance with their customs and traditions”

At 5:30 p.m., the sitting was suspended for lack of quorum.

At 5:33 p.m., the sitting resumed.

Debate resumed on the sub-amendment.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Pierre Paquette, Bernard Bigras, Joe Comartin (3)

NAYS: Alan Tonks, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Joe McGuire, Julian Reed, John Bryden (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Pierre Paquette, Joe Comartin (2)

NAYS: Alan Tonks, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Joe McGuire, Julian Reed, John Bryden (8)

New Clause 32.1 was negatived.

On Clause 33,

Charles Hubbard moved, -- That Bill C-7, in Clause 33, be amended by replacing lines 6 to 10 on page 19 with the following:

Other regulations

33. The Governor in Council may make regulations

a) specifying, for the purposes of subsection 10(3),

i) powers that may be exercised in carrying out an assessment of a band's financial position, including the power to require that access be given to bank accounts, documents and computer files,

ii) what constitutes a deterioration of a band's financial health that compromises the delivery of essential programs and services, and

iii) remedial measures that may be required to be taken, including the imposition of a manager selected by the Minister to manage the financial affairs of the band, and the time limits within which those measures must be taken;

b) providing that the powers conferred by subsection 10(3) do not affect any right exercisable under a funding agreement with a band;

c) authorizing the Minister to withhold funds otherwise payable to a band until remedial measures have been taken;

d) specifying the circumstances under which the council of a band may withhold amounts under section 13, the maximum amounts that may be withheld and the procedure to be followed in doing so;

e) respecting the disposal, burning or processing of waste or other noxious substances on reserve lands, including regulations

f) authorizing the Minister to issue a permit to do so, subject to any conditions that may be specified in the permit,

(ii) defining "waste" and "noxious substance", and

(iii) providing that a contravention of the regulations constitutes an offence punishable on summary conviction by a fine not exceeding \$300,000 or a term of imprisonment not exceeding six months, or by both; and

(f) establishing procedures for the submission of codes and band laws to, and for the operation of, the national register referred to in subsection 30(2).

After debate, the question being put on the amendment, it was adopted on the following recorded division:

YEAS: Stan Dromisky, Roy Cullen, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, John Bryden (7)

NAYS: Pierre Paquette, Joe Comartin (2)

Debate resumed on the motion, "Shall Clause 33, as amended, carry?"

At 6:16 p.m., the sitting was suspended.

At 6:35 p.m., the sitting resumed.

Debate resumed on the motion.

After debate, Clause 33, as amended, carried on the following recorded division:

YEAS: Stan Dromisky, Roy Cullen, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, John Bryden (7)

NAYS: Pierre Paquette, Joe Comartin (2)

On Clause 34,

Charles Hubbard moved, -- That Bill C-7, in Clause 34, be amended by

(a) replacing line 11 on page 19 with the following:

Pending self-government agreements

34. (1) The Governor in Council may, by order

(b) adding after line 18 on page 19 the following:

Application of Indian Act

(2) An order exempting a band under subsection (1) shall provide that the provisions of the Indian Act repealed or amended by this Act that are specified in the order continue to apply to the band, during the period of exemption, as those provisions had not been repealed or amended.

After debate, Pierre Paquette moved – That the amendment be amended by adding, after sub-clause (2), the following:

“(3) Any decision or policy in this regard shall be based on true consultation with the first nations concerned”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Pierre Paquette, Joe Comartin (2)

NAYS: Alan Tonks, Roy Cullen, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, John Bryden, Maurice Vellacott (7)

Debate resumed on the amendment.

After debate, Joe Comartin moved – That the amendment be amended by replacing the word “shall” with “may”.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Pierre Paquette, Jocelyne Girard-Bujold, Joe Comartin (3)

NAYS: Alan Tonks, Stan Dromisky, Roy Cullen, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, John Bryden, Maurice Vellacott (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was carried on the following recorded division:

YEAS: Alan Tonks, Stan Dromisky, Roy Cullen, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, John Bryden, Maurice Vellacott (8)

NAYS: Jocelyne Girard-Bujold, Joe Comartin (2)

Maurice Vellacott moved, --

That Bill C-7, in Clause 34, be amended by replacing line 12 on page 19 with the following:

“made during the period of three years beginning”

After debate, Joe Comartin moved – That the amendment be amended by adding after the word “beginning” the following:

“with further three year extension upon the request of the First Nation accompanied by a statement of efforts made to that time to advance self-government”

The Chairman ruled out the sub-amendment on account that it would make the amendment incomprehensible.

Joe Comartin challenged the ruling.

After debate, the question being put on the ruling, it was sustained by a show of hands.

YEAS: 7

NAYS: 2

Debate resumed on the amendment.

After debate, Jocelyne Girard-Bujold moved – That the amendment be amended by replacing the words “three years” with the following:

“five years”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Jocelyne Girard-Bujold, Joe Comartin (2)

NAYS: Alan Tonks, Roy Cullen, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, John Maloney, John Brydson (7)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Alan Tonks, Roy Cullen, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, John Maloney, John Brydson, Jocelyne Girard-Bujold, Joe Comartin (9)

NAYS: (0)

Debate resumed on the motion, “Shall Clause 34, as amended, carry?”

After debate, the question being put on the motion, it was agreed to on the following recorded division:

YEAS: Alan Tonks, Roy Cullen, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, John Maloney, John Brydson (7)

NAYS: Jocelyne Girard-Bujold, Joe Comartin (2)

Accordingly, Clause 34, as amended, carried.

On Clause 35,

Joe Comartin moved, -- That Bill C-7, in Clause 35, be amended

(a) by replacing, in the English version, line 28 on page 19 with the following:

“Act;”

(b) by replacing, in the English version, line 31 on page 19 with the following:

“Act; or”

(c) by adding after line 31 on page 19 the following:

“(e) any band or first nation who is a party to or is included in a treaty or agreement with the Government of Canada providing for self-government.”

After debate, the question being put on the amendment, it was negatived on the following recorded division:

EAS: Jocelyne Girard-Bujold, Joe Comartin (2)

AYS: Alan Tonks, Stan Dromisky, Roy Cullen, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, John
Maloney, John Bryden (8)

At 8:57 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 75

Thursday, May 15, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Paul Salembier, Senior Counsel.



MINUTES OF PROCEEDINGS

Meeting No. 75

Thursday, May 15, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:24 a.m. this day, in Room 371, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julian Reed, Maurice Vellacott.

Acting Members present: Joe Comartin for Pat Martin, Mario Laframboise for Yvan Loubier, Joe Clark for Inky Mark, Jocelyne Girard-Bujold for Serge Cardin, Dominic LeBlanc for Benoît Serré, Jocelyne Girard-Bujold for Yvan Loubier.

In attendance: From the Committees Branch: Jeffrey LeBlanc, Legislative Clerk. From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Paul Salembier, Senior Counsel.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14).

The Committee resumed Clause-by-Clause consideration of the Bill.

On Clause 35,

Mario Laframboise moved, --

That Bill C-7, in Clause 35, be amended

(i) by replacing, in the English version, line 28 on page 19 with the following:

“Act;”

(i) by replacing line 31 on page 19 with the following:

“Act; or

(e) any band or first nation that chooses to pursue traditional means of leadership selection, administration and accountability.”

After debate, Joe Comartin moved – That the amendment be amended by adding after the word “accountability” the following:

"or an other band or First Nation which files a certificate with the Minister stating that in its opinion the operation of the regulations passed pursuant to sections 5, 6, 7, 16 and 17 would infringe upon their inherent treaty or aboriginal right of self-government"

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Mario Laframboise, Joe Comartin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julia Reed, Maurice Vellacott (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Mario Laframboise, Joe Comartin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julia Reed, Maurice Vellacott (8)

Debate resumed on the motion "Shall Clause 35 carry?"

After debate, the question being put on the motion, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Julia Reed, Dominic LeBlanc (8)

NAYS: Maurice Vellacott, Jocelyne Girard-Bujold, Mario Laframboise, Joe Comartin, Joe Clark (5)

Accordingly, Clause 35 carried.

On new Clause 35.1

Maurice Vellacott moved, -- That Bill C-7 be amended by adding after line 31 on page 19 the following new clause

"Access to Information Act

35.1 The *Access to Information Act* applies in respect of all documents produced by the council of a band."

Charles Hubbard moved – That the Committee now adjourn to the call of the Chair.

The question being put on the motion, it was agreed to by a show of hands:

YEAS 6

NAYS: 4

At 11:10 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 76

Monday, May 26, 2003

ORDER OF THE DAY:

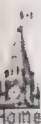
Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Paul Salembier, Senior Counsel.



MINUTES OF PROCEEDINGS

Meeting No. 76

Monday, May 26, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:10 a.m. this day, in Room 371, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Julian Reed, Benoît Serré, Maurice Vellacott.

Acting Members present: Mac Harb for Anita Neville, Gerald Keddy for Inky Mark, Judi Longfield for Benoît Serré.

Attendance: From the Committees Branch: Jeffrey LeBlanc, Legislative Clerk. From the Library of Parliament: Mary Hurley, Analyst.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Paul Salembier, Senior Counsel.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee resumed Clause-by-Clause consideration of the Bill.

On new Clause 35.1,

Maurice Vellacott moved, --

That Bill C-7 be amended by adding after line 31 on page 19 the following new clause:

"Access to Information Act

35.1 The *Access to Information Act* applies in respect of all documents produced by the council of a band."

After debate, Pat Martin moved – That the amendment be further amended by adding the following:

or commissioned by".

Debate arose thereon.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

EAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

AYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Mac Harb, Julian Reed, Benoît Serré, Gerald Keddy (9)

Debate resumed on the amendment.

After debate, Yvan Loubier moved – That the amendment be further amended by adding the following:

“except in the case of a band that has passed its own access to information law or in a specific case that could compromise federal aboriginal affairs”

Debate arose thereon.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Mac Harb, Julian Reed, Judi Longfield (7)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott (1)

NAYS: Gérard Binet, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Mac Harb, Julian Reed, Judi Longfield, Yvan Loubier, Pat Martin (9)

On Clause 36,

Maurice Vellacott moved, --

That Bill C-7, in Clause 36, be amended by replacing line 33 on page 19 with the following:

“not apply to a band until three years after the”

Debate arose thereon.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Julian Reed, Judi Longfield, Yvan Loubier, Pat Martin (9)

NAYS: (0)

Debate arose on the motion, “Shall Clause 36, as amended, carry?”

Following debate, the question being put on the motion, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Julian Reed, Judi Longfield (7)

NAYS: Yvan Loubier, Pat Martin (2)

Accordingly, Clause 36, as amended, carried.

On New Clause 36.1

Charles Hubbard moved, -- That Bill C-7 be amended by adding after line 38 on page 19 the following:

Deemed repeal of orders

5.1 (1) An order made under subsection 74(1) of the Indian Act in respect of a band is deemed to be repealed on the earliest of

) the adoption by the band of a leadership selection code,

) the adoption by the band, pursuant to section 36, of regulations made under section 32 providing for the matters with respect to which a code may be adopted under subsection 5(1), and

) two years after the coming into force of section 4.

Election appeals

) Regulations made under section 76 of the Indian Act in respect of election appeals do not apply - and the Governor in Council's powers under section 79 of that Act may not be exercised - before the coming into force of section 52, to a band that adopts a code under section 5 or that adopts regulations referred to in paragraph (1)(b).

Election appeals

) Regulations made under section 76 of the Indian Act in respect of election appeals continue to apply - and the Governor in Council's powers under section 79 of that Act may continue to be exercised - after the coming into force of section 52, in respect of elections held before the coming into force of that section.

On motion of Charles Hubbard, it was agreed, by a show of hands, that the amendment be allowed to stand.

EAS: 7

AYS: 2

On Clause 37,

Charles Hubbard moved, -- That Bill C-7, in Clause 37, be amended by replacing lines 2 and 3 on page 20 with the following:

Section 81, any of paragraphs 83(1)(a.1) to (d) or section 85.1 of the Indian Act, that is in force immediately before the coming into force of sections 53 and 54 of this Act,

On motion of Charles Hubbard, it was agreed, by a show of hands, that the amendment be allowed to stand.

EAS: 7

AYS: 2

van Loubier moved, --

That Bill C-7, in Clause 37, be amended by replacing line 8 on page 20 with the following:

“(2) Within two years after the coming”

Debate arose thereon.

After debate, Pat Martin moved – That the amendment be amended by replacing the word “two” with “ten”

Debate arose thereon.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Julian Reed, Judi Longfield (7)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Julian Reed, Judi Longfield (7)

Yvan Loubier moved, --

That Bill C-7, in Clause 37, be amended by replacing lines 11 and 12 on page 20 with the following:

“(1) in its band registry.”

Debate arose thereon.

After debate, Pat Martin moved – That the amendment be further amended, in section 37(2), line 9, by replacing the word “shall” with “may”.

The Chairman ruled the proposed sub-amendment out of order on the grounds that the sub-amendment refers to line not referred to in the amendment.

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Julian Reed, Judi Lonfield, Maurice Vellacott (7)

Charles Hubbard moved, -- That Bill C-7, in Clause 37, be amended by adding after line 12 on page 20 the following

passation of certain by-laws

A by-law made by the council of a band under section 83 of the Indian Act in respect of financial administration
has to have effect on the earliest of

the adoption by the band of a financial management and accountability code,

the adoption by the band, pursuant to section 36, of regulations made under section 32 providing for the matters
in respect to which such a code may be adopted, and

two years after the coming into force of section 4.

On the motion of Charles Hubbard, it was agreed, by a show of hands, that the amendment be allowed to stand.

AS: 3

YS: 2

Clause 37 was allowed to stand.

Clause 38,

debate arose on the motion, "Shall Clause 38 carry?"

After debate, the question being put on the motion, it was agreed to on division.

Accordingly, Clause 38 carried.

Clause 39,

debate arose on the motion "Shall Clause 39 carry?"

After debate, the question being put on the motion, it was agreed to on division.

Accordingly, Clause 39 carried.

Clause 40 was allowed to stand.

new Clause 40.1,

Charles Hubbard moved, -- That Bill C-7 be amended by adding, before the heading "Canadian Human Rights Act"
preceding line 1 on page 21, the following:

4, c. 2

British Columbia Indian Cut-off Lands Settlement Act

1 The definition "council of the band" in section 2 of the British Columbia Indian Cut-off Lands Settlement Act is
replaced by the following:

"council"

"conseil »

"council", in relation to a band, has the same meaning as in the First Nations Governance Act;

1997, c. 26

Budget Implementation Act, 1997

40.2 The definition "council" in section 35 of the Budget Implementation Act, 1997 is replaced by the following:

"council"
« conseil »

"council", in relation to the Cowichan Tribes, has the same meaning as in the First Nations Governance Act.

2000, c. 14

Budget Implementation Act, 2000

40.3 The definition "council of a band" in subsection 23(1) of the Budget Implementation Act, 2000 is replaced by the following:

"council"
« conseil »

"council", in relation to a band, has the same meaning as in the First Nations Governance Act.

1992, c. 37

Canadian Environmental Assessment Act

1998, c. 15, subpar. (b)(i)

40.4 The portion of the definition "federal authority" in subsection 2(1) of the Canadian Environmental Assessment Act is replaced by the following:

but does not include the Executive Council of - or a minister, department, agency or body of the government of - Yukon, the Northwest Territories or Nunavut, the council of a band within the meaning of the First Nations Governance Act, The Hamilton Harbour Commissioners constituted pursuant to The Hamilton Harbour Commissioners' Act, The Toronto Harbour Commissioners constituted pursuant to The Toronto Harbour Commissioners' Act, 1911, a harbour commission established pursuant to the Harbour Commissions Act, a Crown corporation within the meaning of the Financial Administration Act, a not-for-profit corporation that enters into an agreement under subsection 80(5) of the Canada Marine Act or a port authority established under that Act;

On motion of Charles Hubbard, it was agreed, by a show of hands, that the amendment be allowed to stand.

YEAS: 7

NAYS: 2

At 2:10 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 77

Monday, May 26, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Justice:

Karl Jacques, Counsel;

Bill Pentney, Senior General Counsel, Public Law Policy Section.

Department of Indian Affairs and Northern Development:

Dave Boileau, Senior Adviser, First Nations Directorate;

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Nathalie Nepton, Acting Director, Band Governance and Estates, Lands and Trust Services;

Paul Salembier, Senior Counsel.





Français

MINUTES OF PROCEEDINGS

Meeting No. 77

Monday, May 26, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:25 p.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Yvan Loubier, Pat Martin, Benoît Serré, Maurice Vellacott.

Acting Members present: André Harvey for John Godfrey, Joe Clark for Inky Mark, Sue Barnes for Julian Reed, Judi Longfield for Benoît Serré, Jocelyne Girard-Bujold for Serge Cardin, Deepak Obhrai for Brian Pallister, Reed Elley for Dave Chatters, Murray Calder for Anita Neville, Gerald Keddy for Inky Mark, John O'Reilley for Julian Reed, Alan Tonks for John Godfrey, Marcel Proulx for Nancy Karetak-Lindell, Francine Lalonde for Serge Cardin, Roy Cullen for Stan Dromisky, Rodger Cuzner for Benoît Serré, Joe Comartin for Pat Martin, Réal Ménard for Serge Cardin, Shawn Murphy for Nancy Karetak-Lindell, Paul Szabo for Julian Reed, Brent St-Denis for Stan Dromisky, Derek Lee for John Godfrey, Lawrence MacAulay for Benoît Serré, John Bryden for Anita Neville, Serge Marcil for Gérard Binet, Brent St-Denis for Nancy Karetak-Lindell, Sue Barnes for Benoît Serré, John Bryden for Nancy Karetak-Lindell, Serge Marcil for John Godfrey, Karen Redman for John Godfrey, André Harvey for Nancy Karetak-Lindell, Paul Crête for Serge Cardin, André Harvey for Julian Reed.

In attendance: From the Committees Branch: Michael Lukyniuk, Joann Garbig, Jeffrey LeBlanc and Jean-Michel Roy, Legislative Clerks; Jean-François Pagé, Bill Farrell and Bibiane Ouellette, Committee Clerks. *From the Library of Parliament:* Jean-Luc Bourdages, Mary Hurley and Tonina Simeone, Analysts.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Paul Salembier, Senior Counsel; Bill Pentney, Senior General Counsel, Public Law Policy Section, Policy Sector, Justice Canada; Dave Boileau, Senior Advisor, First Nations Governance; Karl Jacques, Counsel, Justice Canada; Natalie Nepton, Acting Director, Band Governance and Estates, Lands and Trust Services.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee resumed Clause-by-Clause consideration of the Bill.

On Clause 41

Maurice Vellacott moved, --

That Bill C-7, in Clause 41, be amended by replacing lines 6 to 9 on page 21 with the following:

“organization, the interests of the aboriginal community affected by the complaint, to the extent consistent with the principles of fundamental equality, shall be taken into account”

At 3:26 p.m., the sitting was suspended for lack of quorum.

At 3:30 p.m., the sitting resumed.

Debate resumed on the amendment.

At 3:43 p.m., the sitting was suspended.

At 3:47 p.m., the sitting resumed.

At 3:51 p.m., the sitting was suspended.

At 3:54 p.m., the sitting resumed.

On a point of order, Joe Clark stated that the Minister of Indian Affairs and Northern Development had invited the Member for Lasalle-Emard to submit amendments to Bill C-7.

The Chairman stated that the Committee, being the master of its own proceedings, had decided that no more amendments at Committee stage would be received (see Minutes of Proceedings from Wednesday, April 2, 2003, Meeting No. 59) following the deadline of Friday, April 4, 2003 at 5:00 p.m.

Amendments may only be submitted at Report Stage and selected by the Speaker for debate.

The Chair therefore ruled that the Honourable Member's remarks did not constitute a point of order.

And the question being put, “Shall the decision of the Chair be sustained?” it was sustained by recorded division:

YEAS: Gérard Binet, Stan Dromisky, André Harvey, Charles Hubbard, Nancy Karetak-Lindell, Sue Barnes, Benoît Serré (7)

NAYS: Yvan Loubier, Pat Martin, Joe Clark (3)

At 4:01 p.m., the sitting was suspended.

At 4:03 p.m., the sitting resumed.

At 4:04 p.m., the sitting was suspended.

At 4:12 p.m., the sitting resumed.

At 4:14 p.m., the sitting was suspended.

At 4:40 p.m., the sitting resumed.

At 4:43 p.m., the sitting was suspended.

At 4:48 p.m., the sitting resumed.

On a point of order, Pat Martin stated that there should be an end time for the agenda.

The Chair ruled that the Honourable Member's remarks did not constitute a point of order.

At 4:50 p.m., the sitting was suspended.

At 4:56 p.m., the sitting resumed.

On a point of order, Pat Martin stated that the proceedings should have been televised.

The Chair ruled that the Honourable Member's remarks did not constitute a point of order.

At 4:57 p.m., the sitting was suspended.

At 4:58 p.m., the sitting resumed.

On a point of order, Joe Clark stated that he wanted to circulate correspondence to Committee Members.

The Chair stated that the Honourable Member should submit the correspondence to the Clerk for distribution from her office.

At 5:00 p.m., the sitting was suspended.

At 5:05 p.m., the sitting resumed.

At 5:07 p.m., the sitting was suspended.

At 5:14 p.m., the sitting resumed.

Debate resumed on the amendment of Maurice Vellacott — That Bill C-7, in Clause 41, be amended by replacing lines 6 to 9 on page 21 with the following: organization, the interests of the aboriginal community affected by the complaint, to the extent consistent with the principles of fundamental equality, shall be taken into account”.

Yvan Loubier moved — That the Committee now adjourn.

The question being put on the motion, it was negatived by a show of hands:

YEAS: 5

NAYS: 8

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Maurice Vellacott (1)

NAYS: Gérard Binet, Stan Dromisky, André Harvey, Charles Hubbard, Nancy Karetak-Lindell, Murray Calder, Sue Barnes, Judi Longfield, Jocelyne Girard-Bujold, Yvan Loubier, Pat Martin, Gérald Keddy (12)

At 5:59 p.m., the sitting was suspended.

At 6:00 p.m., the sitting resumed.

Debate resumed on the motion, "Shall Clause 41 carry?"

After debate, the question being put on the motion, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Charles Hubbard, Anita Neville, Sue Barnes, Judi Longfield (6)

NAYS: Yvan Loubier (1)

Accordingly, Clause 41 carried.

On new Clause 42.1

Charles Hubbard moved, -- That Bill C-7 be amended by adding after line 12 on page 21 the following:

2002, c. 3

Claim Settlements (Alberta and Saskatchewan) Implementation Act

42.1 The definition "council of the first nation" in section 2 of the Claim Settlements (Alberta and Saskatchewan) Implementation Act is replaced by the following:

"council"
" conseil "

"council", in relation to a first nation, has the same meaning as in the First Nations Governance Act.

R.S., c. F-8; 1995, c. 17, s. 45(1)

Federal-Provincial Fiscal Arrangements Act

1998, c. 21, s. 76(2)

42.2 The definition "aboriginal government" in subsection 2(1) of the Federal-Provincial Fiscal Arrangements Act is replaced by the following:

"aboriginal government"
" gouvernement autochtone "

"aboriginal government" means an Indian, Inuit or Métis government, or the council of a band within the meaning of the First Nations Governance Act;

1999, c. 24

First Nations Land Management Act

42.3 The definition "council" in subsection 2(1) of the First Nations Land Management Act is replaced by the following:

"council"
" conseil "

"council", in relation to a first nation, has the same meaning as in the First Nations Governance Act.

42.4 Subsection 20(4) of the Act is replaced by the following:

Inconsistency

(4) The land code of a first nation prevails over the provisions of a first nation law, or of a law made under any of sections 16 to 18 of the First Nations Governance Act, to the extent of any inconsistency or conflict.

On motion of Charles Hubbard, it was agreed that the amendment be allowed to stand.

On Clause 43,

Yvan Loubier moved, --

That Bill C-7, in Clause 43, be amended by replacing line 19 on page 21 with the following:

“meaning as in the *First Nations Administration* .”

At 6:44 p.m., the sitting was suspended.

At 6:45 p.m., the sitting resumed.

Pat Martin moved – That the amendment be amended by replacing the word “administration” with the following:

“micro-management”

At 6:56 p.m., the sitting was suspended for lack of quorum.

At 7:02 p.m., the sitting resumed.

Debate resumed on the sub-amendment.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Jocelyne Girard-Bujold, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, Alan Tonks, Charles Hubbard, Marcel Proulx, Anita Neville, Judi Longfield (7)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: Jocelyne Girard-Bujold, Yvan Loubier, Pat Martin (3)

NAYS: Gérard Binet, Stan Dromisky, Alan Tonks, Charles Hubbard, Marcel Proulx, Anita Neville, John O'Reilley, Judi Longfield (8)

Clause 43 carried on division.

On Clause 44,

Charles Hubbard moved, -- That Bill C-7, in Clause 44, be amended by replacing lines 2 to 4 on page 22 with the following:

following provisions is deemed to include a reference to any person whose name is entered in a Band List or who is entitled to

On motion of Charles Hubbard, it was agreed that the amendment be allowed to stand.

Clause 45 carried on division.

Clause 46 carried on division.

Clause 47 carried on division.

On Clause 48,

Debate arose on the motion, "Shall Clause 48 carry?"

After debate, the question being put on the motion, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Roy Cullen, Alan Tonks, Charles Hubbard, Marcel Proulx, Anita Neville, John O'Reilly, Judi Longfield (8)

NAYS: Francine Lalonde, Yvan Loubier, Pat Martin (3)

Accordingly, Clause 48 carried.

Clause 49 carried on division.

Clause 50 carried on division.

Clause 51 carried on division.

Clause 52, carried on division.

Clause 53, carried on division.

Clause 54, carried on division.

Réal Ménard moved – That the Committee do now adjourn.

The question being put on the motion, it was negatived.

On Clause 55,

Debate arose on the motion, “Shall Clause 55 carry?”

After debate, the question being put on the motion, it was agreed to on division.

Accordingly, Clause 55 carried.

On Clause 56,

Debate arose on the motion, “Shall Clause 56 carry?”

After debate, the question being put on the motion, it was agreed to on division.

Accordingly, Clause 56 carried.

On Clause 57,

Pat Martin moved,--

That Bill C-7 be amended by adding after line 7 on page 24 the following new clause:

“56.1 Subsection 89(1) of the Act is replaced by the following:

89. (1) Subject to this Act, the real property and immovables of an Indian or a band situated on a reserve are not subject to charge, pledge, mortgage, hypothec, attachment, levy, seizure, distress or execution in favour or at the instance of any person other than an Indian or a band.”

At 1:35 a.m., Brent St-Denis took the Chair.

At 1:38 a.m., Raymond Bonin took the Chair.

Debate arose thereon.

Yvan Loubier moved – That the amendment be amended by adding after the words “subject to this Act” the following:

“or any law that may be made by the council of a band”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Réal Ménard, Yvan Loubier, Pat Martin (3)

NAYS: Serge Marcil, Brent St-Denis, Derek Lee, Charles Hubbard, Shawn Murphy, John Bryden, Paul Szabo, Lawrence MacAulay (8)

Debate resumed on the amendment.

Debate arose thereon.

Réal Ménard moved – That the amendment be amended by replacing the words “an Indian” with the following:

“a First Nations individual”

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Réal Ménard, Yvan Loubier, Pat Martin (3)

NAYS: Serge Marcil, Brent St-Denis, Derek Lee, Charles Hubbard, Shawn Murphy, John Bryden, Paul Szabo, Lawrence MacAulay (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS: (0)

NAYS: Serge Marcil, Brent St-Denis, Derek Lee, Charles Hubbard, Shawn Murphy, John Bryden, Paul Szabo, Lawrence MacAulay, Réal Ménard, Yvan Loubier, Pat Martin (11)

Charles Hubbard moved, -- That Bill C-7, in Clause 57, be amended by replacing line 8 on page 24 with the following:

57. Section 92 of the Act is

Debate arose thereon.

Pat Martin moved – That the amendment be amended by adding, after “Section 92” the following:

“(2) (3) (4)”

At 3:50 a.m., Paul Szabo took the Chair.

At 3:54 a.m., Raymond Bonin took the Chair.

After debate, the question being put on the sub-amendment, it was negatived on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Serge Marcil, Brent St-Denis, Derek Lee, Charles Hubbard, Shawn Murphy, John Bryden, Paul Szabo, Lawrence MacAulay (8)

Debate resumed on the amendment.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Serge Marcil, Brent St-Denis, Derek Lee, Charles Hubbard, Shawn Murphy, John Bryden, Paul Szabo, Lawrence MacAulay (8)

NAYS: Yvan Loubier, Pat Martin (2)

Debate resumed on the motion, "Shall Clause 57, as amended, carry?"

The question being put on the motion, it was agreed to on division.

Accordingly, Clause 57, as amended, carried.

On Clause 58,

Charles Hubbard moved, -- That Bill C-7, in Clause 58, be amended by replacing lines 15 and 16 on page 24 with the following:

under section 90 or 93 has been committed may seize any goods and chattels by means of which or in

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Serge Marcil, Brent St-Denis, Derek Lee, Charles Hubbard, Shawn Murphy, John Bryden, Paul Szabo, Lawrence MacAulay (8)

NAYS: Yvan Loubier, Pat Martin (2)

Debate resumed on the motion, "Shall Clause 58, as amended, carry?"

The question being put on the motion, it was carried on division.

Accordingly, Clause 58, as amended, carried.

On New Clause 58.1,

Charles Hubbard moved, -- That Bill C-7 be amended by adding after line 19 on page 24 the following:

2000, c. 33

Manitoba Claim Settlements Implementation Act

58.1 The definition "council of the first nation" in section 8 of the Manitoba Claim Settlements Implementation Act is replaced by the following:

"council"
" conseil "

"council", in relation to a first nation, has the same meaning as in the First Nations Governance Act.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Serge Marcil, Brent St-Denis, Derek Lee, Charles Hubbard, Shawn Murphy, John Bryden, Paul Szabo, Lawrence MacAulay (8)

NAYS: Yvan Loubier, Pat Martin (2)

On Clause 59,

Charles Hubbard moved, -- That Bill C-7, in Clause 59, be amended by replacing lines 20 to 29 on page 24 with the following:

Orders of Governor in Council

59. (1) The provisions of this Act, other than subsections 43(2) and (4) and sections 44 and 52, come into force on a day or days to be fixed by order of the Governor in Council.

Certain provisions deferred

(2) Subsections 43(2) and (4) and sections 44 and 52 come into force on the day that is two years after the day fixed by the Governor in Council for the coming into force of section 4.

Debate arose thereon.

Derek Lee moved – That the amendment be amended by replacing the words “two years” by the following:

“three years”

After debate, the question being put on the sub-amendment, it was agreed to on the following recorded division:

YEAS: Serge Marcil, Stan Dromisky, Derek Lee, Charles Hubbard, Brent St-Denis, John Bryden, Paul Szabo, Lawrence MacAulay, Pat Martin (9)

NAYS: Yvan Loubier (1)

At 5:25 a.m., Serge Marcil took the Chair.

At 5:31 a.m., Raymond Bonin took the Chair.

Debate resumed on the amendment as amended.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Serge Marcil, Stan Dromisky, Brent St-Denis, Derek Lee, Charles Hubbard, John Bryden, Paul Szabo, Lawrence MacAulay (8)

NAYS: Yvan Loubier, Pat Martin (2)

Debate resumed on the motion, "Shall Clause 59, as amended, carry?"

The question being put on the motion, it was agreed to.

Accordingly, Clause 59, as amended, carried.

On Clause 2,

Yvan Loubier moved, --

That Bill C-7, in Clause 2, be amended by striking "trust" from line 14 and replacing line 32 on page 2 with "the age of majority as determined by First Nations custom".

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, Karen Redman, Charles Hubbard, André Harvey, Anita Neville, Julian Reed, Sue Barnes (8)

Charles Hubbard moved, -- That Bill C-7, in Clause 2, be amended by replacing line 25 on page 2 with the following:

"chief and other members of the council selected by election or custom in"

After debate, the question being put on the amendment, it was carried on division.

Pat Martin moved, -- That Bill C-7, in Clause 2, be amended by replacing line 32 on page 2 with the following:

"eighteen years or the age determined by individual First Nation's existing custom"

After debate, the question being put on the amendment, it was negated on the following recorded division:

YEAS: Yvan Loubier, Pat Martin (2)

NAYS: Gérard Binet, Stan Dromisky, Karen Redman, Charles Hubbard, André Harvey, Anita Neville, Julian Reed, Sue Barnes (8)

Charles Hubbard moved, -- That Bill C-7, in Clause 2, be amended by

(a) adding after line 37 on page 2 the following:

"inspection"

" inspection "

"inspection" means entry into a place that is subject to regulation under a band law made for the regulation of an activity on a reserve, and examination of the place or any thing in it, for the purpose of verifying compliance with a band law, that is conducted during normal business hours and

(a) at intervals specified in the band law; or

(b) after the giving of reasonable notice to the person appearing to be in charge of the place.

(b) adding after line 39 on page 2 the following:

"place"

" lieu "

"place", in relation to an inspection or search, includes a vehicle or vessel.

"search"

" perquisition "

"search" means entry into a place, and examination of the place or any thing in it, for the purpose of enforcing a band law, excluding an inspection.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Karen Redman, Charles Hubbard, André Harvey, Anita Neville, Julian Reed, Sue Barnes (8)

NAYS: Yvan Loubier, Pat Martin (2)

On motion of Charles Hubbard, it was agreed that Clause 2, as amended, carry.

Accordingly, Clause 2, as amended, carried on division.

On New Clause 36.1,

Charles Hubbard moved, -- That Bill C-7 be amended by adding after line 38 on page 19 the following:

"36.1 (1) An order made under subsection 74(1) of the Indian Act in respect of a band is deemed to be

repealed on the earliest of

(a) the adoption by the band of a leadership selection code,

(b) the adoption by the band, pursuant to section 36, of regulations made under section 32 providing for the matters with respect to which a code may be adopted under subsection 5(1), and

(c) two years after the coming into force of section 4.

(2) Regulations made under section 76 of the Indian Act in respect of election appeals do not apply - and the Governor in Council's powers under section 79 of that Act may not be exercised - before the coming into force of section 52, to a band that adopts a code under section 5 or that adopts regulations referred to in paragraph (1)(b).

(3) Regulations made under section 76 of the Indian Act in respect of election appeals continue to apply - and the Governor in Council's powers under section 79 of that Act may continue to be exercised - after the coming into force of section 52, in respect of elections held before the coming into force of that section."

Debate arose thereon.

After debate, Stan Dromisky moved – That the amendment be amended by replacing, in section 36.1(1) (c), the word “two” with “three”

After debate, the question being put on the sub-amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Karen Redman, Charles Hubbard, André Harvey, Anita Neville, Julian Reed, Sue Barnes (8)

NAYS: Yvan Loubier, Pat Martin (2)

At 6:50 a.m., Gérard Binet took the Chair.

At 6:53 a.m., Raymond Bonin took the Chair.

Debate resumed on the amendment.

After debate, the question being put on the amendment, as amended, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Karen Redman, Charles Hubbard, André Harvey, Anita Neville, Julian Reed, Sue Barnes (8)

NAYS: Yvan Loubier, Pat Martin (2)

On Clause 37,

Charles Hubbard moved, -- That Bill C-7, in Clause 37, be amended by replacing lines 2 and 3 on page 20 with the following:

“section 81, any of paragraphs 83(1)(a.1) to (d) or section 85.1 of the Indian Act, that is in force immediately before the coming into force of sections 53 and 54 of this Act,”

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Karen Redman, Charles Hubbard, André Harvey, Anita Neville, Julian Reed, Sue Barnes (8)

NAYS: Yvan Loubier (1)

Charles Hubbard moved, -- That Bill C-7, in Clause 37, be amended by adding after line 12 on page 20 the following:

“ (3) A by-law made by the council of a band under section 83 of the Indian Act in respect of financial administration ceases to have effect on the earliest of

(a) the adoption by the band of a financial management and accountability code,

(b) the adoption by the band, pursuant to section 36, of regulations made under section 32 providing for the matters with respect to which such a code may be adopted, and

(c) two years after the coming into force of section 4.”

Charles Hubbard moved – That the amendment be amended by replacing the word “two” with the following:

“three”

After debate, the question being put on the sub-amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Karen Redman, Charles Hubbard, Anita Neville, Julian Reed, Sue Barnes (7)

NAYS: Paul Crête, Pat Martin (2)

Debate resumed on the amendment.

After debate, the question being put on the amendment, as amended, it was agreed to on division.

Debate arose on the motion, “Shall Clause 37, as amended, carry?”

The question being put on the motion, it was agreed to on division.

Accordingly, Clause 37, as amended, carried.

On new Clauses 40.1 to 40.4,

Charles Hubbard moved, -- That Bill C-7 be amended by adding, before the heading "Canadian Human

Rights Act" preceding line 1 on page 21, the following:

40.1 The definition "council of the band" in section 2 of the British Columbia Indian Cut-off Lands Settlement Act is replaced by the following:

"council"
« conseil »

"council", in relation to a band, has the same meaning as in the First Nations Governance Act;

40.2 The definition "council" in section 35 of the Budget Implementation Act, 1997 is replaced by the following:

"council"
« conseil »

"council", in relation to the Cowichan Tribes, has the same meaning as in the First Nations Governance Act.

40.3 The definition "council of a band" in subsection 23(1) of the Budget Implementation Act, 2000 is replaced by the following:

"council"
« conseil »

"council", in relation to a band, has the same meaning as in the First Nations Governance Act.

40.4 The portion of the definition "federal authority" in subsection 2(1) of the Canadian Environmental Assessment Act is replaced by the following:

but does not include the Executive Council of - or a minister, department, agency or body of the government of - Yukon, the Northwest Territories or Nunavut, the council of a band within the meaning of the First Nations Governance Act, The Hamilton Harbour Commissioners constituted pursuant to The Hamilton Harbour Commissioners' Act, The Toronto Harbour Commissioners constituted pursuant to The Toronto Harbour Commissioners' Act, 1911, a harbour commission established pursuant to the Harbour Commissions Act, a Crown corporation within the meaning of the Financial Administration Act, a not-for-profit corporation that enters into an agreement under subsection 80(5) of the Canada Marine Act or a port authority established under that Act;

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Karen Redman, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, André Harvey, Sue Barnes (8)

NAYS: Paul Crête, Pat Martin (2)

Debate arose on the motion, "Shall Clause 40 carry?"

The question being put on the motion, it was agreed to on division.

Accordingly, Clause 40 carried.

Debate arose on the motion, "Shall Clause 42 carry?"

The question being put on the motion, it was agreed to on division.

Accordingly, Clause 42 carried.

On new Clauses 42.1 to 42.4,

Charles Hubbard moved, -- That Bill C-7 be amended by adding after line 12 on page 21 the following:

42.1 The definition "council of the first nation" in section 2 of the Claim Settlements (Alberta and Saskatchewan) Implementation Act is replaced by the following:

"council"

" conseil "

"council", in relation to a first nation, has the same meaning as in the First Nations Governance Act.

42.2 The definition "aboriginal government" in subsection 2(1) of the Federal-Provincial Fiscal Arrangements Act is replaced by the following:

"aboriginal government"

" gouvernement autochtone "

"aboriginal government" means an Indian, Inuit or Métis government, or the council of a band within the meaning of the First Nations Governance Act;

42.3 The definition "council" in subsection 2(1) of the First Nations Land Management Act is replaced by the following:

"council"

" conseil "

"council", in relation to a first nation, has the same meaning as in the First Nations Governance Act.

42.4 Subsection 20(4) of the Act is replaced by the following:

(4) The land code of a first nation prevails over the provisions of a first nation law, or of a law made under any of sections 16 to 18 of the First Nations Governance Act, to the extent of any inconsistency or conflict.

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Karen Redman, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, André Harvey, Sue Barnes (8)

NAYS: Pat Martin (1)

On Clause 44,

Charles Hubbard moved, -- That Bill C-7, in Clause 44, be amended by replacing lines 2 to 4 on page 22 with the following:

“following provisions is deemed to include a reference to any person whose name is entered in a Band List or who is entitled to”

After debate, the question being put on the amendment, it was agreed to on the following recorded division:

YEAS: Gérard Binet, Stan Dromisky, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Sue Barnes, Pat Martin (7)

NAYS: Yvan Loubier (1)

Debate arose on the motion, “Shall Clause 44, as amended, carry?”

The question being put on the motion, it was agreed to on division.

Accordingly, Clause 44, as amended, carried.

At 8:48 a.m., on Tuesday, May 27, 2003, the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 78

Tuesday, May 27, 2003

ORDER OF THE DAY:

Study of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Warren Johnson, Assistant Deputy Minister, Lands and Trust Services;

Paul Salembier, Senior Counsel.

Department of Justice:

Robert Archambault, Senior Counsel, Legislation Section (Headquarters).

Rolling River First Nation, Treaty & Aboriginal Rights Research Centre of Manitoba Inc.:

Chief Morris Shannacappo, Chairman

As Individuals:

Terri Brown;

Cora Davis;

Josephine Harris;

Mary Sandy;

Joyce Sky.



Français

MINUTES OF PROCEEDINGS

Meeting No. 78

Tuesday, May 27, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:02 a.m. this day, in Room 253-D, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Benoît Serré and Maurice Vellacott.

Acting Members present: Ovid Jackson for Julian Reed; Sue Barnes for Benoît Serré; Karen Redman for John Godfrey; Marlene Catterall for Anita Neville; Hélène Scherrer for John Godfrey; Hélène Scherrer for Julian Reed; Joe Comartin for Pat Martin; Jocelyne Girard-Bujold for Serge Cardin; Marlene Catterall for Benoît Serré; Diane St-Jacques for Julian Reed.

In attendance: From the Library of Parliament: Jean-Luc Bourdages, Analyst. *From the Committee Branch:* Michael Lukyniuk and Joann Garbig, Legislative Clerks.

Witnesses: From the Department of Indian Affairs and Northern Development: Warren Johnson, Assistant Deputy Minister, Lands and Trust Services; Andrew Beynon, General Counsel; Paul Salembier, Senior Counsel; *From the Department of Justice:* Robert Archambault, Senior Counsel, Legislative Services Branch.

Pursuant to its Order of Reference of Monday, October 7, 2002, the Committee resumed consideration of Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts (*See Minutes of Proceedings, Monday, January 27, 2003, Meeting No. 14*).

The Committee resumed Clause-by-Clause consideration of the Bill.

On Clause 1,

Yvan Loubier moved, -- That Bill C-7, in Clause 1, be amended by replacing, in the French version, lines 4 and 5 on page 2 with the following:

“1. Loi sur la gouvernance des Premières Nations.”

Debate arose thereon.

After debate, the question being put on the amendment, it was allowed to stand.

Clause 1 was allowed to stand.

On the Preamble,

By unanimous consent, Charles Hubbard moved, -- That Bill C-7, in the Preamble, be amended by replacing line 15 on page 1 with the following:

nance that can be adapted to their individual traditions and customs;

Debate arose thereon.

After debate, the question being put on the amendment, it was carried.

Yvan Loubier moved, -- That Bill C-7, in the Preamble, be amended by replacing lines 19 to 23 on page 1 with the following:

“Whereas the Government of Canada recognizes the inherent right of self-determination as an aboriginal right and has provided for the negotiation of self-determination;”

Debate arose thereon.

After debate, the question being put on the amendment, it was negated by a show of hands: YEAS: 3; NAYS: 6.

Joe Comartin moved, -- That Bill C-7, in the Preamble, be amended by replacing lines 22 and 23 on page 1 with the following:

“and is committed to the negotiation of self-government agreements;”

Debate arose thereon.

After debate, the question being put on the amendment, it was negated by a show of hands: YEAS: 3; NAYS: 8.

Joe Comartin moved, -- That Bill C-7, in the Preamble, be amended by deleting lines 24 to 28 on page 1.

Debate arose thereon.

At 10:34 a.m., the sitting was suspended.

At 10:36 a.m., the sitting resumed.

After debate, the question being put on the amendment, it was negated by a show of hands: YEAS: 2; NAYS: 8.

Pat Martin moved, -- That Bill C-7, in the Preamble, be amended by adding after line 28 on page 1 the following:

“Whereas the Government of Canada recognizes that first nations have their own values in relation to governance that are reflected in the customs, traditions and practices of each first nation and that all first nations desire to protect and preserve;”

Debate arose thereon.

After debate, the question being put on the amendment, it was negatived by a show of hands: YEAS: 2; NAYS: 8.

The Preamble, as amended, carried by a show of hands: YEAS: 8 ; NAYS: 2.

The Committee resumed debate on Clause 1.

Yvan Loubier moved, -- That Bill C-7, in Clause 1, be amended by replacing, in the French version, lines 4 and 5 on page 2 with the following:

“1. Loi sur la gouvernance des Premières Nations.”

Debate arose thereon.

By unanimous consent, it was agreed, -- That those First Nation's women present at the table be allowed to speak collectively for a maximum of ten minutes, thereby using the time allowed to Pat Martin.

By unanimous consent, it was agreed, -- That those First Nations women present at the table be allowed to speak collectively for a maximum of 10 minutes thereby using the time allowed to Yvon Loubier.

After debate, the question being put on the amendment, it was negatived on the following recorded division:

YEAS

Yvan Loubier
Pat Martin -- [2]

NAYS

Gérard Binet
Stan Dromisky
John Godfrey
Charles Hubbard
Nancy Karetak-Lindell
Anita Neville
Diane St-Jacques
Benoît Serré
Maurice Vellacott -- [9]

Clause 1 carried, on division.

The Title carried on the following recorded division:

YEAS

Gérard Binet
Stan Dromisky

John Godfrey
Charles Hubbard
Nancy Karetak-Lindell
Anita Neville
Diane St-Jacques
Benoît Serré -- [8]

NAYS

Yvan Loubier
Maurice Vellacott
Pat Martin -- [3]

The Bill, as amended, carried on the following recorded division:

YEAS

Gérard Binet
Stan Dromisky
John Godfrey
Charles Hubbard
Nancy Karetak-Lindell
Anita Neville
Diane St-Jacques
Benoît Serré -- [8]

NAYS

Yvan Loubier
Maurice Vellacott
Pat Martin -- [3]

It was agreed, -- That the Committee report Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts, as amended, to the House of Commons as the Committee's Fourth Report, at the earliest opportunity.

ORDERED, -- That Bill C-7, An Act respecting leadership selection, administration and accountability of Indian bands, and to make related amendments to other Acts, as amended, be reprinted for the use of the House of Commons at Report Stage.

At 11:52 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 79

Tuesday, June 3, 2003

IN CAMERA



MINUTES OF PROCEEDINGS

Meeting No. 79

Tuesday, June 3, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met *in camera* at 11:06 a.m. this day, in Room 308, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Serge Cardin, David Chatters, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Benoît Serré, Maurice Vellacott.

Acting Member present: Sue Barnes for Stan Dromisky.

In attendance: From the Library of Parliament: Mary Hurley, Jean-Luc Bourdages, Carol Hilling and Tonina Simeone, Analysts.

The Committee proceeded to the consideration of its future business.

It was agreed – That the Committee hold its first meeting on Bill C-19 on Thursday, June 5, 2003, from 9:00 a.m. to 12:00 p.m. (noon), provided the House is not considering Bill C-7 at that time, and invite the following witnesses to a televised session:

9:00 a.m. to 10:30 a.m. National Chief Matthew Coon-Come
Assembly of First Nations

10:30 a.m. to 12:00 (noon) Minister Nault

It was agreed – That whenever the Main Estimates or the Supplementary Estimates are tabled in the House, the Committee invite the Minister and any relevant Senior Officials of a Department to appear at a televised meeting of the Committee.

It was agreed – That a draft report be presented to the Standing Committee on Thursday, June 5, 2003, concerning the creation of a new Standing Committee on Natural Resources.

It was agreed – That the Clerk be instructed to purchase copies of the report of the Royal Commission on Aboriginal Peoples in both official languages for Committee members.

It was agreed – That a budget in the amount of \$ 63,250.00 be approved by the Standing Committee for its study of Bill C-19, and that the Chairman be instructed to present the budget to the Budget Sub-Committee of the Liaison Committee at the earliest opportunity.

At 12:04 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 80

Monday, June 9, 2003

ORDER OF THE DAY:

Study of Bill C-19, An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts

APPEARING:

The Honourable Robert D. Nault, Minister of Indian Affairs and Northern Development

WITNESSES:

Assembly of First Nations:

Vice-Chief Satsan Herb George, Office of the B.C. Regional Vice-Chiefs;

Vice-Chief Ghislain Picard, Quebec and Labrador Region.

Department of Indian Affairs and Northern Development:

Paul Salembier, Senior Counsel;

Gordon Shanks, Assistant Deputy Minister, Economic Development and Special Initiatives.

MINUTES OF PROCEEDINGS

Meeting No. 80

Monday, June 9, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 12:32 p.m. this day, in Room 237-C, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, David Chatters, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville, Maurice Vellacott.

Guest Members present: Alan Tonks for Benoît Serré, Sue Barnes for Julian Reed.

Attendance: From the Library of Parliament: Jean-Luc Bourdages; Tonina Simeone; Carol Hilling, Analysts.

Attending: From the House of Commons: Hon. Robert D. Nault, Minister of Indian Affairs and Northern Development.

Witnesses: From the Assembly of First Nations: Ghislain Picard; Satsan Herb George, Office of the BC Regional Vice-Presidents; Noah Augustine, Executive Director, Fiscal Relations and Program Transfers; Roger Jones, Legal Counsel; Anna Hamilton, President and Chief Executive Officer, First Nations Finance Authority; Harold Calla, Chairman, First Nations Financial Management Advisory Board; Chief Tom Bressette, Chairperson, First Nations Statistics Council; and the First Nations Financial Management Advisory Board. *From the Department of Indian Affairs and Northern Development:* Gordon Shanks, Assistant Deputy Minister, Economic Development and Special Initiatives; Paul Salembier, Senior Counsel.

Order of Reference dated Thursday, February 20, 2003, being now read as follows:

RESOLVED, -- That Bill C-19, An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts be now read a second time and referred to the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources.

The Chair called Clause 1.

Ghislain Picard and Satsan Herb George each made an opening statement and answered questions.

At 1:55 p.m., the sitting was suspended.

At 2:30 p.m., the sitting resumed.

Honourable Robert Nault made an opening statement and, with the witnesses, answered questions.

At 3:49 p.m., the sitting was suspended.

At 4:01 p.m., the Committee proceeded to sit *in camera* for the consideration of its future business.

It was agreed – That the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources

request that the House of Commons effect an amendment to its Standing Orders respecting committees. More specifically, your committee requests that Standing Order 104(2) be amended to read as follows:

(a) Aboriginal Affairs and Northern Development; (to be composed of 16 members)

and that a new section be added allowing for the creation of the Standing Committee on Natural Resources, to be composed of 16 members.

It was agreed – That the witnesses for Tuesday, June 10, 2003, be approved with the Committee sitting to hear testimony from 8:00 a.m. to 1:00 p.m., followed by a future business meeting *in camera*.

At 5:49 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 81

Tuesday, June 10, 2003

ORDER OF THE DAY:

Study of Bill C-19, An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts

WITNESSES:

Chiefs of Ontario:

Grand Chief Charles Fox, Ontario Regional Chief.

First Nations Finance Authority:

Deanna Hamilton, President and Chief Executive Officer.

First Nations Financial Management Advisory Board:

Harold Calla, Chairman;

Bruce Campbell, Legal Counsel.

First Nations Statistics Advisory Board:

Chief Tom Bressette, Chairperson.

Indian Taxation Advisory Board:

Clarence (Manny) Jules, Chair.



Français

MINUTES OF PROCEEDINGS

Meeting No. 81

Tuesday, June 10, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 8:11 a.m. this day, in Room 308, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Anita Neville, Benoît Serré, Maurice Vellacott.

Acting Members present: Pauline Picard for Serge Cardin, Mark Eyking for Julian Reed, Sue Barnes for Julian Reed.

In attendance: From the Library of Parliament: Carol Hilling, Analyst.

Witnesses: From the Indian Taxation Advisory Board: Clarence (Manny) Jules, Chair; Leslie Pinder, Legal Counsel; Wayne Haimila, Manager, Taxation Policy. *From the First Nations Statistics Advisory Board:* Chief Tom Bressette, Chairperson; Alfred Linklater, Executive Director; Max Dokuchie, Legal Counsel; Jennifer Espey, Technical Support. *From the First Nations Financial Management Advisory Board:* Harold Calla, Chairman; Bruce Campbell, Legal Counsel. *From the Chiefs of Ontario:* Grand Chief Charles Fox, Ontario Regional Chief. *From the First Nations Finance Authority:* Deanna Hamilton, President and Chief Executive Officer; Dr. Tim Raybould, Senior Policy Advisor.

Pursuant to its Order of Reference of Thursday, February 20, 2003, the Committee resumed consideration of Bill C-19, an Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts (*See Minutes of Proceedings, Monday, June 9, 2003, Meeting No. 80*).

Clarence (Manny) Jules made an opening statement and answered questions.

Tom Bressette made an opening statement and answered questions.

Harold Calla made an opening statement and, with the witnesses, answered questions.

At 10:55 a.m., the sitting was suspended.

At 11:58 a.m., the sitting resumed.

Charles Fox made an opening statement and answered questions.

Tom Bressette made a statement.

At 12:50 p.m., the sitting was suspended.

At 12:51 p.m., the sitting resumed.

Deanna Hamilton made an opening statement and answered questions.

At 1:40 p.m., the sitting was suspended.

At 1:50 p.m., the sitting resumed *in camera* for the consideration of its future business.

At 2:12 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 82

Tuesday, June 10, 2003

ORDER OF THE DAY:

Study of Bill C-19, An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts

WITNESSES:

Federation of Saskatchewan Indian Nations:

Perry Bellegarde, Chief.

Tobique First Nation:

David Paul, Chief.

MINUTES OF PROCEEDINGS

Meeting No. 82

Tuesday, June 10, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:17 p.m. this Tuesday, in Room 307, West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Anita Neville, Benoît Serré.

Invited Members present: Robert Bertrand for Julian Reed, Pauline Picard for Yvan Loubier.

Attendance: From the Library of Parliament: Tonina Simeone, Analyst.

Guests: From the Federation of Saskatchewan Indian Nations: Chief Perry Bellegarde. From the Tobique First Nation: Chief David Paul.

The Committee proceeded, *in camera*, to the consideration of its future business.

It was agreed – That the Committee adopt the following schedule for its study of Bill C-19.

Wednesday, June 11, 2003:	3:00 p.m. – 9:00 p.m.	Hearing of witnesses
Thursday, June 12, 2003:	9:00 a.m. – 12:00 (noon)	Hearing of witnesses
Friday, June 13, 2003:	Amendments to Bill C-19 to be received by the Clerk no later than 5:00 p.m.	
Monday, June 16, 2003:	Amendments to leave the Clerk's office at 9:00 a.m. to be hand-delivered to Member's offices.	
Monday, June 16, 2003:	Meeting on Clause-by-clause at 3:30 p.m.	

At 3:35 p.m., the sitting was suspended.

At 4:40 p.m., the sitting resumed *in public*.

Pursuant to its Order of Reference of Thursday, February 20, 2003, the Committee resumed consideration of Bill C-19, the Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts (*See Minutes of Proceedings, Monday, June 9, 2003, Meeting No. 80*).

Chief Perry Bellegarde made an opening statement and answered questions.

Chief David Paul made an opening statement and answered questions.

At 5:50 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 83

Wednesday, June 11, 2003

ORDER OF THE DAY:

Study of Bill C-19, An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts

WITNESSES:

Aboriginal Peoples Council of Toronto:

Roger Obonsawin, Chair.

Assembly of Manitoba Chiefs:

Grand Chief Margaret Swan.

Association of Iroquois and Allied Indians:

Grand Chief Chris McCormick.

Manitoba Keewatinowi Okimakanak Inc.:

Michael Anderson, Research Director;

Grand Chief Francis Flett.

Saddle Lake First Nation:

Eric Large, Councillor.

Union of British Columbia Indian Chiefs:

Chief Stewart Phillip, President.

York University:

Fred Lazar, Economist, Schulich School of Business.

As Individuals:

Larry Blain;

Ken MacLeod.

MINUTES OF PROCEEDINGS

Meeting No. 83

Wednesday, June 11, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:16 p.m. this day, in Room 253-D, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, Charles Hubbard, Nancy Karetak-Dell, Yvan Loubier, Anita Neville, Maurice Vellacott.

Invited Member present: Pauline Picard for Serge Cardin.

Attendance: *From the Library of Parliament:* Tonina Simeone, Analyst.

Guests: *From the Association of Iroquois and Allied Indians:* Grand Chief Chris McCormick. *From Saddle Lake First Nation:* Eric J. Large, Councillor. *As an Individual:* Ken MacLeod, Former Inspector of Municipalities, B.C. Ministry of Municipal Affairs. *From York University:* Fred Lazar, Economist, Schulich School of Business. *From the Assembly of Manitoba Chiefs:* Grand Chief Margaret Swan. *From the Union of British Columbia Indian Chiefs:* Chief Stewart Phillip, President. *From the Aboriginal Peoples Council of Toronto:* Roger Obonsawin, Chair. *From the Manitoba Keewatinowik Okimakanak Inc.:* Grand Chief Francis Flett; Michael Anderson, Research Director.

Pursuant to its Order of Reference of Thursday, February 20, 2003, the Committee resumed consideration of Bill C-19, Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts (*See Minutes of Proceedings, Monday, June 9, 2003, Meeting No. 80*).

The witnesses made statements and answered questions.

At 5:01 p.m., the sitting was suspended.

At 6:34 p.m., the sitting resumed.

At 8:41 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 84

Thursday, June 12, 2003

ORDER OF THE DAY:

Study of Bill C-19, An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts

WITNESSES:

British Columbia Civil Liberties Association:

Murray Mollard, Executive Director.

Chippewas of Georgina Island:

Chief William McCue.

Chippewas of The Thames First Nation:

Chief R. K. (Joe) Miskokomon.

Municipal Finance Authority of British Columbia:

Steve Berna, Executive Director;

Frank Leonard, Chair.

Six Nations of the Grand River:

David General, Councillor.

University of Victoria:

Robert Bish, Professor Emeritus.

MINUTES OF PROCEEDINGS

Meeting No. 84

Thursday, June 12, 2003

Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:09 a.m. this day in Room 253-D, Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Percy Karetak-Lindell, Yvan Loubier, Anita Neville, Maurice Vellacott.

Attendance: From the Library of Parliament: Carol Hilling, Analyst.

Guests: *From the Six Nations of the Grand River:* David General, Councillor. *From the Chippewas of The Thames First Nation:* Chief R. K. (Joe) Miskokomon. *From the First Nations Financial Management Advisory Board:* Harold A. Chairman. *From the Chippewas of Georgina Island:* Chief William McCue. *From the British Columbia Civil Liberties Association:* Murray Mollard, Executive Director. *From the British Columbia Municipal Finance Authority:* John Berna, Executive Director; Frank Leonard, Chairman, Mayor of Saanich, B.C.. *From the University of Victoria:* Dr. Robert L. Bish, Professor Emeritus.

Pursuant to its Order of Reference of Thursday, February 20, 2003, the Committee resumed consideration of Bill C-19, Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts (*See Minutes of Proceedings, Monday, June 9, 2003, Meeting No. 80*).

Witnesses made statements and answered questions.

At 10:41 a.m., the sitting was suspended.

At 10:42 a.m., the sitting resumed.

At 1:47 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston

Clerk of the Committee

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Government
Publications

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 85

Tuesday, September 16, 2003

ORDER OF THE DAY:

Study of Bill C-19, An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Paul Salembier, Senior Counsel;

Gordon Shanks, Assistant Deputy Minister, Economic Development and Special Initiatives;

Stuart Swanson, Director, Special Initiatives.





Français

MINUTES OF PROCEEDINGS

Meeting No. 85

Tuesday, September 16, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:07 a.m. this day, in Room 308 West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin and Benoît Serré.

Acting Members present: John Duncan for Brian Pallister, Gary Schellenberger for Inky Mark and Guy St-Julien for Julian Reed.

Attendance: *Library of Parliament:* Mary Hurley, Analyst; Tonina Simeone, Analyst. *House of Commons:* Susan Aldwin, Legislative Clerk; Joann Garbig, Legislative Clerk.

Witnesses: *Department of Indian Affairs and Northern Development :* Paul Salembier, Senior Counsel; Gordon Shanks, Assistant Deputy Minister, Economic Development and Special Initiatives; Stuart Swanson, Director, Special Initiatives.

Pursuant to the Order of Reference of Tuesday, February 25, 2003, the Committee commenced consideration of Bill C-19, An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts.

Pursuant to Standing Order 75(1), consideration of Clause 1 was postponed.

The Chair called Clause 2.

By unanimous consent, Clause 2 was allowed to stand.

At 9:09 a.m., the sitting was suspended.

At 9:11 a.m., the sitting resumed.

At Martin moved, — That the Committee do now adjourn.

The question was put on the motion and it was negatived, by a show of hands: YEAS: 2; NAYS: 8.

By unanimous consent, Yvan Loubier moved, — That the National Chief, Phil Fontaine, be invited before the Committee before proceeding with the clause-by-clause consideration of Bill C-19.

After debate, the question was put on the motion and it was negatived, by a show of hands: YEAS: 2; NAYS: 8.

On Clause 3,

Charles Hubbard moved, — That Bill C-19, in Clause 3, be amended by replacing lines 5 to 30 on page 4 with the

following:

“ 3. Before making any law under subsection 4(1), the council of a first nation shall make a law respecting the financial administration of the first nation under paragraph 8(1)(a).”

After debate, the question was put on the amendment of Charles Hubbard and it was agreed to.

Clause 3, as amended, carried.

At 9:30 a.m., the sitting was suspended.

At 9:36 a.m., the sitting resumed.

On Clause 4,

Pat Martin moved, — That Bill C-19, in Clause 4, be amended by replacing lines 18 and 19 on page 6 with the following:

“assessments; and”

The question was put on the amendment of Pat Martin and it was negatived, by a show of hands: YEAS: 4; NAYS:

Charles Hubbard moved, — That Bill C-19, in Clause 4, be amended by replacing line 40 on page 4 with the following:

“ lands, interests and rights, the requisition of any information necessary to conduct the assessment and the inspection in accordance with procedures prescribed by regulation, for assessment purposes of any reserve lands that are subject to taxation for local purposes,”

After debate, the question was put on the amendment of Charles Hubbard and it was agreed to, by a show of hands: YEAS: 5; NAYS: 3.

Charles Hubbard moved, — That Bill C-19, in Clause 4, be amended by replacing, in the French version, line 11 on page 7 with the following:

“peut être admis d'office dans toute instance.”

After debate, the question was put on the amendment of Charles Hubbard and it was agreed to, by a show of hands: YEAS: 6; NAYS: 3.

Clause 4, as amended, carried.

On Clause 5,

Pat Martin moved, — That Bill C-19, in Clause 5, be amended by replacing lines 14 to 42 on page 7 and lines 1 to 7 on page 8 with the following:

“ 5. The council of a first nation shall determine how it wishes to give fair and proper legal notice of its intention to pass a law, such notice to be appropriate to the circumstances.”

After debate, the question was put on the amendment of Pat Martin and it was negatived, by a show of hands: YEAS: 2; NAYS: 7.

Pat Martin moved, — That Bill C-19, in Clause 5, be amended by deleting lines 8 to 13 on page 8.

After debate, the question was put on the amendment of Pat Martin and it was negatived, by a show of hands: YEAS: 2; NAYS: 6.

Clause 5, as amended, carried.

Clause 6,

Martin moved, — That Bill C-19, in Clause 6, be amended by replacing lines 17 to 24 on page 8 with the following:

Commission, the council shall consider proper and appropriate ways to ensure that the passage of the law is known to those people with an interest in knowing it or that the law may have proper effect.”

After debate, the question was put on the amendment of Pat Martin and it was negatived, by a show of hands: YEAS: 1; NAYS: 7.

Clause 6 carried.

Clause 7,

Martin moved, — That Bill C-19, in Clause 7, be amended by replacing lines 25 to 44 on page 8 and lines 1 to 35 on page 9 with the following:

7. A property taxation law – including an amendment of a property taxation law or a law made under paragraph 4 (c) – shall, as a council deems appropriate, include such details as are needed for the law to be just, fair and effective.”

The question was put on the amendment of Pat Martin and it was negatived, by a show of hands: YEAS: 1; NAYS: 7.

Clause 7 carried.

Cluses 8 and 9 carried severally.

Clause 10,

Charles Hubbard moved, — That Bill C-19, in Clause 10, be amended by replacing lines 10 to 15 on page 11 with the following:

() The borrowing member shall, in every year, reserve such local revenues as are required to ensure that all amounts authorized to be paid to the First Nations Finance Authority in the year are actually paid in that year.”

After debate, the question was put on the amendment of Charles Hubbard and it was agreed to, by a show of hands: YEAS: 6; NAYS: 2.

Clause 10, as amended, carried on division.

Clause 11 carried on division.

Clause 12 carried on division.

Clause 13 carried.

At 2:22 p.m., the sitting was suspended due to a lack of quorum.

At 2:25 p.m., the sitting resumed.

Clause 14 carried on division.

At 2:37 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

2003/09/17 3:28 p.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 86

Wednesday, September 17, 2003

ORDER OF THE DAY:

Study of Bill C-19, An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts

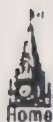
WITNESSES:

Department of Indian Affairs and Northern Development:

Paul Salembier, Senior Counsel;

Gordon Shanks, Assistant Deputy Minister, Economic Development and Special Initiatives;

Stuart Swanson, Director, Special Initiatives.



MINUTES OF PROCEEDINGS

Meeting No. 86

Wednesday, September 17, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:37 p.m. this day, in Room 308 West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Anita Neville, Benoît Serré and Maurice Vellacott.

Acting Members present: Joe Comartin for Pat Martin and Guy St-Julien for Julian Reed.

In attendance: Library of Parliament: Mary Hurley, Analyst; Tonina Simeone, Analyst. *House of Commons:* Susan Baldwin, Legislative Clerk; Joann Garbig, Legislative Clerk.

Witnesses: Department of Indian Affairs and Northern Development : Gordon Shanks, Assistant Deputy Minister, Economic Development and Special Initiatives.

Pursuant to the Order of Reference of Tuesday, February 25, 2003, the Committee resumed consideration of Bill C-19, An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts.

Yvan Loubier moved, — That the Committee suspend its hearings on Bill C-19 until such time as the Committee hears from a representative of the Assembly of First Nations.

The question was put on the motion and it was negatived, by a show of hands: YEAS: 1; NAYS: 6.

Clause 15 carried on division.

On Clause 16,

Charles Hubbard moved, — That Bill C-19, in Clause 16, be amended by replacing lines 21 to 23 on page 12 with the following:

16. (1) The Commission is an agent of Her Majesty only for the approval of local revenue laws.

(2) For the purpose of subsection (1), the issuance of a certificate referred to in paragraph 30(2)(b) is deemed not to be an approval of a local revenue law.

The question was put on the amendment of Charles Hubbard and it was agreed to, by a show of hands: YEAS: 8; NAYS: 2.

Clause 16, as amended, carried on division.

Clause 17 carried on division.

Clause 18 carried on division.

Clause 19 carried on division.

Clause 20 carried on division.

Clause 21 carried on division.

Clause 22 carried on division.

Clause 23 carried on division.

Clause 24 carried on division.

Clause 25 carried on division.

Clause 26 carried on division.

On motion of Joe Comartin, it was agreed, — That the Committee do now adjourn.

At 5:35 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

2003/09/18 1:16 p.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

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Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 87

Monday, September 22, 2003

ORDER OF THE DAY:

Study of Bill C-19, An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts

WITNESSES:

Department of Indian Affairs and Northern Development:

Paul Salembier, Senior Counsel;

Stuart Swanson, Director, Special Initiatives.

Department of Justice:

Sylvie Chatelain, Counsel, Lands and Trusts, Socio-Economic Policy and Programs and Corporate Services.



MINUTES OF PROCEEDINGS

Meeting No. 87

Monday, September 22, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 10:20 a.m. this day, in Room 371 West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Stan Dromisky, John Godfrey, Charles Hubbard, Anita Neville and Maurice Vellacott.

Acting Members present: John Bryden for Gérard Binet, Judi Longfield for Benoît Serré, Paul Harold Macklin for Nancy Karetak-Lindell, Pauline Picard for Yvan Loubier, John Duncan for Brian Pallister, Gary Schellenberger for Inky Mark and Guy St-Julien for Julian Reed.

In attendance: House of Commons: Joann Garbig, Legislative Clerk. Library of Parliament: Mary Hurley, Analyst; Tonina Simeone, Analyst.

Witnesses: Department of Indian Affairs and Northern Development : Paul Salembier, Senior Counsel; Stuart Swanson, Director, Special Initiatives. Department of Justice: Sylvie Chatelain, Counsel, Lands and Trusts, Socio-Economic Policy and Programs and Corporate Services.

Pursuant to the Order of Reference of Tuesday, February 25, 2003, the Committee resumed consideration of Bill C-19, An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts.

By unanimous consent, Clauses 27 to 29 inclusive carried on division.

Clause 30 was allowed to stand.

Clause 31 was allowed to stand.

By unanimous consent, Clauses 32 and 33 carried on division.

Clause 34 was allowed to stand.

By unanimous consent, Clauses 35 to 50 inclusive carried on division.

Clause 51 was allowed to stand.

Clause 52 carried on division.

Clause 53 was allowed to stand.

By unanimous consent, Clauses 54 to 76 inclusive carried on division.

By unanimous consent, Clause 77 was allowed to stand.

By unanimous consent, Clause 78 was allowed to stand.

By unanimous consent, Clause 79 was allowed to stand.

By unanimous consent, Clauses 80 to 86 inclusive carried on division.

Clause 87 was allowed to stand.

By unanimous consent, Clauses 88 to 98 inclusive carried on division.

By unanimous consent, Clauses 99 to 104 inclusive carried on division.

Clause 105 was allowed to stand.

By unanimous consent, Clauses 106 and 107 carried on division.

Clause 108 was allowed to stand.

By unanimous consent, Clauses 109 to 133 inclusive carried on division.

Clause 134 was allowed to stand.

By unanimous consent, Clauses 135 to 137 inclusive carried on division.

By unanimous consent, Clause 138 was allowed to stand.

By unanimous consent, Clauses 139 to 141 inclusive carried on division.

Clause 142 was allowed to stand.

By unanimous consent, Clauses 143 and 144 carried on division.

Clause 145 was allowed to stand.

Clause 146 carried on division.

Clause 147 was allowed to stand.

By unanimous consent, Clauses 148 and 149 carried on division.

Clause 150 was allowed to stand.

By unanimous consent, Clauses 151 to 153 inclusive carried on division.

Clause 154 was allowed to stand.

Clause 155 carried on division.

On Clause 30,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 30, be amended by

a) replacing line 9 on page 16 with the following:

“ 30 . (1) The Commission shall not approve a”

b) replacing lines 19 to 21 on page 16 with the following:

“vision of local services on reserve lands.

(2) On approving a law made by a first nation under paragraph 4(1)(*d*), the Commission shall provide the First Nations Finance Authority with

(*a*) a true copy of the law registered under subsection 29(4); and

(*b*) a certificate stating that the law meets all the requirements of this Act and the regulations made under this Act.

(3) If the Commission becomes aware that judicial review proceedings have been undertaken in respect of a law made by a first nation under paragraph 4(1)(*d*), the Commission shall without delay inform the First Nations Finance Authority of those proceedings.

(4) A certificate referred to in paragraph (2)(*b*) is, in the absence of evidence to the contrary, conclusive evidence in any judicial proceedings of the facts contained in it.”

At 10:27 a.m., the sitting was suspended.

At 10:30 a.m., the sitting resumed.

Clause 30, as amended, carried on division.

On Clause 31,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 31, be amended by

(a) replacing line 28 on page 16 with the following:

“not complied with this Part or Part 1 or with a regulation made under either Part or section 138 or 138.1”

(b) replacing lines 40 and 41 on page 16 with the following:

“Part or Part 1 or with a regulation made under either Part or section 138 or 138.1 or that a law has been unfairly”

(c) by replacing line 2 on page 17 with the following:

"Commission considers that a first nation has not complied with this Part or Part 1 or with a regulation made under either Part or section 138 or 138.1 or that a law has been"

Clause 31, as amended, carried on division.

On Clause 34,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 34, be amended

(a) replacing lines 15 and 16 on page 18 with the following:

prescribed under subparagraph 4(1)(a)(i), paragraph 4(1)(e) or (4)(a), subsection 4(7) or section 9;

(b) by replacing line 39 on page 18 with the following:

(2) Regulations made under paragraph (1)(a) may vary from province to province.

(3) Regulations made under paragraph (1)(b) may authorize the Commission to

(a) vary the procedures to accommodate the customs or culture of a first nation in respect of which a hearing is being held;

(b) extend or shorten any period provided for in those regulations; and

(c) dispense with compliance with any procedure provided for in the regulations in the interest of securing a just, expeditious and inexpensive hearing of a complaint.

(4) In the event of an inconsistency between

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 34, be amended by replacing, in the English version, line 18 on page 18 with the following:

"lowed in reviewing"

Clause 34, as amended, carried on division.

On Clause 51,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 51, be amended by

(a) replacing lines 33 and 34 on page 24 with the following:

" (a) subject to subsection (2.1), act in the place of the council of the first nation to make laws under paragraphs 4(1)(a) to (f);"

(b) adding after line 7 on page 25 the following:

"(2.1) The Board shall not make a law under paragraph 4(1)(f) that delegates a power to a person or body to whom a power was not delegated at the time the Board assumed third-party management of the local revenues of a first nation, unless the council of the first nation gives its consent.

(2.2) The council of the first nation shall not, during the time that the board assumes third-party

management of the first nation's local revenues, repeal any law made under paragraph 4(1)(g).”
Clause 51, as amended, carried on division.

On Clause 53,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 53, be amended by replacing line 9 on page 26 with the following:

“ (b) approvals of the Board under Part 1;”
Clause 53, as amended, carried on division.

On Clause 77,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 77, be amended by replacing lines 10 to 20 on page 35 with the following:

“ member under paragraph 4(1)(d); and

(b) the loan is to be paid out of the property tax revenues of the borrowing member in priority to other creditors of the borrowing member.”
Clause 77, as amended, carried on division.

On Clause 78,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 78, be amended by replacing lines 21 to 32 on page 35 with the following:

“ 78 . A borrowing member shall not obtain long-term financing secured by property tax revenues from any person other than the First Nations Finance Authority.”
Clause 78, as amended, carried on division.

On Clause 79,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 79, be amended by replacing lines 38 and 39 on page 35 with the following:

“a law made under paragraph 4(1)(b).”
Clause 79, as amended, carried on division.

On Clause 87,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 87, be amended by replacing lines 36 to 38 on page 39 with the following:

“prescribed under subsection 80(1) and paragraphs 83(3)(c)”
By unanimous consent, Clause 87 carried on division.

On Clause 105,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 105, be amended by

(a) replacing lines 40 to 44 and line 1 on page 45 with the following:

“ **105** . (1) Subject to subsection (2), documents or records relating to first nations, Indians or other members of first nations, or to members of other aboriginal groups, that are maintained by any depart-
..

(b) by replacing lines 11 and 12 on page 45 with the following:

“or may, withhold under any federal law or under any privilege at law.”

Clause 105, as amended, carried on division.

At 10:53 a.m., the sitting was suspended.

At 10:54 a.m., the sitting resumed.

On Clause 108,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 108, be amended by replacing lines 6 to 10 on page 47 with the following:

“ **108** . Nothing in this Act”

Clause 108, as amended, carried on division.

On Clause 134,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19 be amended by adding after line 13 on page 57 the following:

“ **134.1** No civil proceedings lie against a member of a council or an employee of a first nation for anything done, or omitted to be done, during the course of the exercise or purported exercise in good faith of any power, or the performance or purported performance in good faith of any duty, of that member or employee in accordance with this Act, regulations made under this Act or a law made by the council of a first nation under this Act.”

Clause 134, as amended, carried on division.

On Clause 138,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19 be amended by adding after line 20 on page 58 the following:

“ **138.1** (1) The Governor in Council may make regulations

(a) prescribing anything that is to be prescribed for the purposes of paragraph 72(b); and

(b) adapting or restricting any provision of this Act or of any regulation made under this Act for the purposes of paragraph 72(b).”

Clause 138, as amended, carried on division.

At 11:03 a.m., the sitting was suspended.

At 11:06 a.m., the sitting resumed.

On Clause 142,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 142, be amended by replacing lines 12 to 17 on page 59 with the following:

“ 142 . (1) Section 3 does not apply to a first nation that, immediately before the coming into force of that section, had in place a by-law made under section 83 of the *Indian Act*.

(2) Despite subsection (1), section 3 applies to a borrowing member.”
Clause 142, as amended, carried on division.

On Clause 145,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 145, be amended by replacing line 10 on page 60 with the following:

“that Act to "section 106".”
Clause 145, as amended, carried on division.

Clause 147 was negatived.

On Clause 150,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 150, be amended by replacing lines 14 and 15 on page 61 with the following:

150 . (1) Paragraph 83(1)(a) of the Act is repealed.

(2) Subsection 83(1) of the Act is amended by adding the word "and" at the end of paragraph (c) and by repealing paragraphs 83(1)(e) to (g).

(3) Subsections 83(3) of the Act is repealed.

(4) Subsections 83(5) and (6) of the Act are repealed.”

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19 be amended by adding after line 15 on page 61 the following:

“ 150.1 Section 84 of the Act is repealed.”
Clause 150, as amended, carried on division.

On Clause 154,

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 154, be amended by replacing lines 27 to 43 on page 63 and lines 1 to 25 on page 64 with the following:

“ (6) On the later of the day on which this Act receives royal assent and day on which section 7 of the other Act comes into force, subsection 30(4) of the other Act is replaced by the following:

(4) Subject to subsection 3(2) of the *First Nations Fiscal and Statistical Management Act*, a code or a band law made under this Act comes into force at the beginning of the day following the day it is deposited in the band's registry, or at such later time as is specified in the code or law.

(7) On the later of the day on which this Act receives royal assent and the day on which section 7 of the other Act comes into force

(a) section 3 of this Act is replaced by the following:

3. (1) The council of a first nation that has made a financial management and accountability code under the *First Nations Governance Act* shall not make a law under subsection 4(1) unless that code has been approved by the First Nations Financial Management Board.

(2) After the council of a first nation has obtained approval of a financial management and accountability code under subsection (1) and while any local revenue law made by the first nation remains in effect, no amendment to the code comes into force until the later of the day of the coming into force set out in the amendment and the day after it is approved by the First Nations Financial Management Board.”

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 154, be amended by replacing lines 7 to 15 on page 66 with the following:

“ (5) A band law referred to in subsection (1) does not apply in respect of any decision from which a right of appeal or review otherwise exists, other than a review under the *Federal Courts Act* .”

On motion of Charles Hubbard, it was agreed on division, — That Bill C-19, in Clause 154, be amended by replacing lines 17 to 31 on page 67 with the following:

“ (11.1) If section 150 of this Act is not in force on the day on which section 54 of the other Act comes into force, then, on that day, section 150 of this Act is replaced by the following:

“ **150** . Section 83 of the Act is repealed.

(12) On the later of the coming into force of section 150 of this Act and the day on which the other Act receives royal assent, section 14 of the other Act is replaced by the following:

14. No civil proceedings lie against a member of a council or an employee of a band for anything done, or omitted to be done, in the exercise or purported exercise in good faith of any power, or in the performance or purported performance in good faith of any duty, in accordance with this Act, the *Indian Act* , regulations made under either Act, a code or a band law made under this Act.

(12.1) If section 54 of the other Act is not in force on the day on which section 150 of this Act comes into force, then, on that day, section 54 of the other Act is replaced by the following:

54. Section 83 of the Act is repealed.”

Clause 154, as amended, carried on division.

On Clause 2,

On motion of Pauline Picard, it was agreed, — That Bill C-19 be amended by adding after line 4 on page 4 the following new clause:

“ **2.1** For greater certainty, nothing in this Act shall be construed so as to abrogate or derogate from any existing aboriginal or treaty rights of the aboriginal peoples of Canada under section 35 of the Constitution Act, 1982 .”

Clause 2, as amended, carried on division.

The Preamble carried on division.

The Short Title carried on division.

The Title carried on division.

The Bill, as amended, carried on division.

ORDERED, — That the Chair report the Bill, as amended, to the House.

ORDERED, — That Bill C-19, as amended, be reprinted for the use of the House at report stage.

At 11:38 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

2003/09/26 3:48 p.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 88

Wednesday, October 1, 2003

ORDER OF THE DAY:

Election of Chair.



MINUTES OF PROCEEDINGS

Meeting No. 88

Wednesday, October 1, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:28 p.m. this day, in Room 269 West Block, for the purpose of electing a Chair and Vice-Chair pursuant to Standing Orders 106(1) and 106 (2).

Members of the Committee present: Gérard Binet, Raymond Bonin, Serge Cardin, David Chatters, Stan Dromisky, John Duncan, Charles Hubbard, Nancy Karetak-Lindell, Yvan Loubier, Pat Martin, Anita Neville and Gary Schellenberger.

Visiting Members present: Larry Bagnell for Benoît Serré, Roy Bailey for Maurice Vellacott, Christian Jobin for John Dufresne, John O'Reilly for Guy St-Julien and Alan Tonks for Gérard Binet.

Attendance: Library of Parliament: Mary Hurley, Analyst; Jean-Luc Bourdages, Analyst. *House of Commons:* Eugene Morawski, Committee Clerk.

The Clerk of the Committee presided over the election of a Chair.

David Chatters moved, — That Raymond Bonin be elected Chair of the Committee.

After debate, the question was put on the motion and it was agreed to on the following recorded division: YEAS: Raymond Bonin, David Chatters, Stan Dromisky, John Duncan, Charles Hubbard, Christian Jobin, Pat Martin, Anita Neville, John O'Reilly, Gary Schellenberger — 10; NAYS: Serge Cardin, Yvan Loubier — 2.

Raymond Bonin was declared duly elected Chair.

The Clerk of the Committee presided over the election of the Vice-Chairs.

On a motion of John Duncan, it was agreed, — That Anita Neville be elected as Government Vice-Chair of the Committee.

Anita Neville was declared duly elected as Government Vice-Chair of the Committee.

Charles Hubbard moved, — That Maurice Vellacott be elected as Opposition Vice-Chair of the Committee.

Yvan Loubier moved, — That Pat Martin be elected as Opposition Vice-Chair of the Committee.

Pursuant to Standing Order 106(3), the election was conducted by secret ballot.

After the ballots having been counted, Maurice Vellacott was declared duly elected as Opposition Vice-Chair of the Committee.

At 3:41 p.m., Raymond Bonin took the Chair.

At 3:42 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

2003/10/02 4:03 p.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 89

Monday, October 20, 2003

ORDER OF THE DAY:

Consideration of the Supplementary Estimates (A) 2003-2004: Votes 1a, 5a, 15a, L20a, 30a and 40a under INDIAN AFFAIRES AND NORTHERN DEVELOPMENT; Votes 1a, 10a, 15a, and 20a under NATURAL RESOURCES

APPEARING:

Hon. Robert Nault, Minister of Indian Affairs and Northern Development

WITNESSES:

Department of Natural Resources:

George R.M. Anderson, Deputy Minister;

Graham Campbell, Director General, Office of Energy Research and Development;

Bruce Holden, Assistant Deputy Minister, Corporate Services Sector.



MINUTES OF PROCEEDINGS

Meeting No. 89

Monday, October 20, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:06 a.m. this day, in Room 237-C Centre Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Gérard Binet, Raymond Bonin, Serge Cardin, David Chatters, Stan Dromisky, John Duncan, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell, Guy St-Julien and Maurice Vellacott.

Acting Members present: Rick Borotsik for Gary Schellenberger and Yolande Thibeault for Benoît Serré.

In attendance: Library of Parliament: Mary Hurley, Analyst; Jean-Luc Bourdages, Analyst.

Appearing: Hon. Robert D. Nault, Minister of Indian Affairs and Northern Development.

Witnesses: Department of Natural Resources: George R. M. Anderson, Deputy Minister; Bruce Holden, Assistant Deputy Minister, Corporate Services Sector; Graham Campbell, Director General, Office of Energy Research and Development; Howard Brown, Assistant Deputy Minister, Large Final Emitters Group; Neil MacLeod, Director General, Office of Energy Efficiency, Energy Sector. *Department of Indian Affairs and Northern Development :* Caroline Davis, Assistant Deputy Minister, Corporate Services.

Pursuant to Standing Order 81(5), the Committee commenced consideration of the Supplementary Estimates (A) 2003-2004: Votes 1a, 5a, 15a, L20a, 30a and 40a under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT; Votes 1a, 10a, 15a and 20a under NATURAL RESOURCES referred to the Committee on Tuesday, September 23, 2003.

By unanimous consent, the Chair called Votes 1a, 10a, 15a and 20a under NATURAL RESOURCES.

George R. M. Anderson made a statement and, with the other witnesses, answered questions.

By unanimous consent, the question was put on the Votes and the result was announced: YEAS: 4; NAYS: 4.

Whereupon, the Chair voted in the affirmative.

Accordingly, Votes 1a, 10a, 15a and 20a under NATURAL RESOURCES carried.

ORDERED, — That the Chair report Votes 1a, 10a, 15a and 20a under NATURAL RESOURCES to the House.

At 10:02 a.m., the sitting was suspended.

At 10:05 a.m., the sitting resumed.

By unanimous consent, the Chair called Votes 1a, 5a, 15a, L20a, 30a and 40a under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT.

Robert D. Nault made a statement and, with Caroline Davis, answered questions.

By unanimous consent, Votes 1a, 5a, 15a, L20a, 30a and 40a under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT carried on division.

ORDERED, — That the Chair report Votes 1a, 5a, 15a, L20a, 30a and 40a under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT to the House.

At 11:06 a.m., the Committee adjourned to the call of the Chair.

Marc-Olivier Girard
Committee Clerk

2003/10/22 10:33 a.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 2nd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Raymond Bonin, Lib.

Meeting No. 90

Wednesday, October 29, 2003

ORDER OF THE DAY:

Briefing session on the Canadian Energy Policy, specially with regards to the distribution of electricity

WITNESSES:

Department of Natural Resources:

George Anderson, Deputy Minister;

William Elliott, Canadian Co-Chair, Security Working Group;

Linda Keen, Canadian Co-Chair, Nuclear Working Group and member of the Task Force;

Thomas Rusnov, Canadian Co-Chair, Electric System Working Group.



Français

MINUTES OF PROCEEDINGS

Meeting No. 90

Wednesday, October 29, 2003

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:33 p.m. this day, in Room 269 West Block, the Chair, Raymond Bonin, presiding.

Members of the Committee present: Raymond Bonin, Serge Cardin, David Chatters, Stan Dromisky, John Godfrey, Charles Hubbard, Nancy Karetak-Lindell and Gary Schellenberger.

In attendance: Library of Parliament: Jean-Luc Bourdages, Analyst.

Witnesses: Department of Natural Resources: George R. M. Anderson, Deputy Minister; William J.S. Elliott, Canadian Co-Chair, Security Working Group; Nawal Kamel, Canadian Co-ordinator, Joint Canada - U.S. Task Force on the Power Outage; Linda J. Keen, Canadian Co-Chair, Nuclear Power Working Group and member of the Task Force; Thomas Rusnov, Canadian Co-Chair, Electric System Working Group.

Pursuant to Standing Order 108(2), the Committee proceeded to a briefing session on the Canadian Energy Policy, specially with regards to the distribution of electricity.

The witnesses made statements and answered questions.

At 4:50 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

2003/11/03 3:14 p.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 3rd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Guy St-Julien, Lib.

Meeting No. 1

Wednesday, February 18, 2004

ORDER OF THE DAY:

Election of a Chair and Vice-Chairs





Français

MINUTES OF PROCEEDINGS

Meeting No. 1

Wednesday, February 18, 2004

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 3:34 p.m. this day, in Room 308 West Block, for the purpose of electing a Chair, pursuant to Standing Order 106(1).

Members of the Committee present: Hon. Larry Bagnell, Serge Cardin, Hon. Brenda Chamberlain, Stan Dromisky, John Duncan, Hon. André Harvey, Nancy Karetak-Lindell, Rick Laliberte, Yvan Loubier, Pat Martin, Guy St-Julien, Chuck Strahl and Hon. Andrew Telegdi.

Acting Members present: Andy Burton for David Chatters, Reed Elley for Maurice Vellacott and Derek Lee for Lawrence O'Brien.

Associate Members present: Pauline Picard.

In attendance: House of Commons: Miriam Burke, Committee Clerk. *Library of Parliament:* Mary Hurley, Analyst; Tonina Simeone, Analyst; Jean-Luc Bourdages, Analyst.

The Clerk of the Committee presided over the election of a Chair.

On motion of Stan Dromisky, it was agreed, — That Guy St-Julien be elected Chair of the Committee.

The Clerk of the Committee presided over the election of the Vice-Chairs.

On motion of Rick Laliberte, it was agreed, — That Nancy Karetak-Lindell be elected as Government Vice-Chair of the Committee.

Pat Martin moved, — That Yvan Loubier be elected Chair of the Committee.

John Duncan moved, — That Maurice Vellacott be elected as Opposition Vice-Chair of the Committee.

Yvan Loubier moved, — That Pat Martin be elected as Opposition Vice-Chair of the Committee.

Pursuant to Standing Order 106(3), the election was conducted by secret ballot.

The ballots having been counted, Maurice Vellacott was declared duly elected as Opposition Vice-Chair of the Committee.

André Harvey moved, — That the Chair, the two Vice-Chairs, the Parliamentary Secretary and a representative of the Conservative Party, the Bloc Québécois and the New Democratic Party, do compose the Subcommittee on Agenda and Procedure.

John Duncan moved, — That the motion be amended by deleting the words “the Parliamentary

Secretary”.

The question was put on the motion and it was negatived on the following recorded division: YEAS: Andy Burton, Serge Cardin, John Duncan, Reed Elley, Yvan Loubier, Pat Martin, Chuck Strahl — 7; NAYS: Larry Bagnell, Brenda Chamberlain, Stan Dromisky, André Harvey, Nancy Karetak-Lindell, Rick Laliberte, Derek Lee, Andrew Telegdi — 8.

It was agreed, — That the motion be amended by adding after the word “Parliamentary Secretary” the following: “as necessary”.

The motion, as amended, carried.

On motion of Rick Laliberte, it was agreed, — That the Committee retain the services of one or more analysts from the Library of Parliament, as needed, to assist the Committee in its work, at the discretion of the Chair.

On motion of André Harvey, it was agreed, — That the Chair be authorized to hold meetings to receive and publish evidence when a quorum is not present provided that at least 3 members are present including a member of the opposition.

Chuck Strahl moved, — That an organization be given up to ten (10) minutes for their opening statement; and that, at the discretion of the Chair, during the questioning of witnesses, there be allocated nine (9) minutes for the questioner of the official opposition, seven (7) minutes for the questioner of the other parties, and that thereafter three (3) minutes be allocated to each subsequent questioner (alternating between Government and Opposition parties).

Stan Dromisky moved, — That the motion be amended by adding after the words “questioning of the other parties” the following:

“alternating between Government and opposition parties”.

The question was put on the motion and it was negatived, by a show of hands: YEAS: 2; NAYS: 7.

On motion of Yvan Loubier, it was agreed, — That the motion be amended by striking out the words “ten (10) minutes” and by substituting the following therefor:

“fifteen (15) minutes at the discretion of the Chair”.

The motion, as amended, carried.

Pat Martin moved, — That when First Nations legislation is before the Committee, the Committee membership may be expanded to include at least one ex-officio representative from First Nations who would sit on the Committee with voice but no vote.

After debate, by unanimous consent, the motion was allowed to stand.

On motion of André Harvey, it was agreed, — That, if requested, reasonable travel, accommodation and living expenses be reimbursed to witnesses not exceeding two (2) representatives per organization; and that, in exceptional circumstances, payment for a third representative be at the discretion of the Chair.

On motion of Yvan Loubier, it was agreed, — That the Clerk of the Committee be authorized to

distribute to the members of the Committee documents only when they exist in both official languages.

On motion of Derek Lee, it was agreed, — That the Committee be authorized to purchase documents for the use of the Committee.

On motion of Reed Elley, it was agreed, — That the Clerk of the Committee be authorized to make the necessary arrangements to provide for working meals for the Committee and its Subcommittees.

On motion of André Harvey, it was agreed, — That unless otherwise decided by the members of the Committee, each Committee member be allowed to have one staff person present at *in camera* meetings.

On motion of André Harvey, it was agreed, — That a transcript of in camera meetings be kept in the office of the Clerk of the Committee for the purpose of consultation by Members of the Committee, and be destroyed at the end of each session of Parliament.

On motion of Reed Elley, it was agreed, — That, except for amendments to bills, forty-eight (48) hours' notice be given before any substantive motion is considered by the Committee; and that the motion be filed with the Clerk of the Committee and circulated to members in both official languages.

On motion of John Duncan, it was agreed, — That whenever the Main Estimates or Supplementary Estimates are referred to the Committee, the Committee invite the Minister and any relevant Senior Officials of a Department to appear at a meeting of the Committee and, if possible, that it be televised.

On motion of John Duncan, it was agreed, — That whenever a Chapter of a Report of the Auditor General refers to a subject under the mandate of the Committee, the Committee invite the Office of the Auditor General of Canada and any relevant Senior Officials of a Department to appear at a meeting of the Committee and, if possible, that it be televised.

At 5:02 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

2004/02/24 9:05 a.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 3rd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Guy St-Julien, Lib.

Meeting No. 2

Tuesday, March 9, 2004

IN CAMERA

MINUTES OF PROCEEDINGS

Meeting No. 2

Tuesday, March 9, 2004

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met *in camera* at 9:15 a.m. this day, in Room 253-D Centre Block, the Chair, Guy St-Julien, presiding.

Members of the Committee present: Larry Bagnell, Serge Cardin, John Duncan, André Harvey, Nancy Karetak-Lindell, Mark Laliberte, Pat Martin, Guy St-Julien and Maurice Vellacott.

Guest Members present: Lynn Myers for Lawrence O'Brien.

Attendance: Library of Parliament: Jean-Luc Bourdages, Analyst; Mary Hurley, Analyst.

The Committee proceeded to the consideration of matters related to Committee business.

At 9:50 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

10/03/10 11:58 a.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 3rd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Guy St-Julien, Lib.

Meeting No. 3

Wednesday, March 10, 2004

ORDERS OF THE DAY:

Future business

Study of Bill-11, An Act to give effect to the Westbank First Nation Self-Government Agreement

APPEARING:

Hon. Andy Mitchell, Minister of Indian Affairs and Northern Development

WITNESSES:

City of Kelowna:

Walt Gray, Mayor.

Regional District of Central Kelowna:

Aaron Dinwoodie, Director, Westside Electoral Area;

Len Novakowski, Director, Westside Electoral Area.

Westbank First Nation:

Chief Robert Louie;

Micha Menczer, Legal Counsel.

As Individuals:

Clarence Clough;

Kat Maurmann;

John Reddick.

MINUTES OF PROCEEDINGS

eting No. 3

nesday, March 10, 2004

Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met *in camera* at 3:15 p.m. this day, in Room 701 La Promenade Building, the Chair, Guy St-Julien, presiding.

Members of the Committee present: Larry Bagnell, Serge Cardin, Brenda Chamberlain, Stan Dromisky, John Duncan, André Harvey, Nancy Karetak-Lindell, Rick Laliberte, Yvan Loubier, Pat Martin, Guy St-Julien, Chuck Strahl, Andrew Goggin and Maurice Vellacott.

Guest Members present: Stockwell Day for Chuck Strahl and Werner Schmidt for David Chatters.

Attendance: Library of Parliament: Mary Hurley, Analyst.

Hearing: Hon. Andy Mitchell, Minister of Indian Affairs and Northern Development.

Witnesses: Department of Indian Affairs and Northern Development : Gilberte Fleischmann, Director, Self-Government Negotiations. *Regional District of Central Kelowna:* Aaron Dinwoodie, Director, Westside Electoral Area; Len Kowalski, Director, Westside Electoral Area. *City of Kelowna:* Walt Gray, Mayor. *As Individuals:* Kat Maurmann; John Reddick, Member, Sunvillage Homeowners Association, Interim Advisory Council. *Westbank First Nation:* Robert B. B. Chief; Micha Menczer, Legal Counsel; Clarence Clough, Councillor; Mickey Werstvik, Councillor; Rafael Quevedo, Councillor; Tim Raybould, Self-Government Negotiator; Brenda McGregor, Senior Researcher; Larry Jackson, Councillor.

The Committee proceeded to the consideration of matters related to Committee business.

The Chair presented the First Report from the Subcommittee on Agenda and Procedure which read as follows:

The Report of the Subcommittee on Agenda and Procedure of the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources

The Subcommittee on Agenda and Procedure met on March 9, 2004 and has recommended the following:

Table of Committee hearings

12-11, An Act to give effect to the Westbank First Nation Self-Government Agreement

Room 701, La Promenade

Wednesday, March 10, 2004

1 p.m. – 8:30 p.m.

11 – 3:30 p.m.: Future Business (in camera)

3 – 4:30 p.m.: Minister of DIAND and Senior Officials

4:30 – 5:30 p.m.: Robert Louie and Micha Menczer, confirmed

5:30 – 6:00 p.m.: Aaron Dinwoodie (Ottawa), Director, Westbank Electoral Area

6:00 – 7:00 p.m.: Bill Hardy and lawyer (Videoconference from Kelowna, BC)

7:00 – 7:45 p.m.: Panel

Kat Maurmann - Kelowna

Walter Gray - Kelowna

Len Novakowski - Kelowna

7:45- 8:30 p.m.: Panel

Alex Louie -Kelowna

Tanis Fiss - Victoria

G. Gibson - Vancouver

Thursday, March 11, 2004

9:00 – 11:00 a.m.: Clause-by-clause consideration

It was agreed, — That the report of the Subcommittee be concurred in.

The Committee resumed consideration of the motion — That when First Nations legislation is before the Committee, the Committee membership may be expanded to include at least one ex-officio representative from First Nations who would sit on the Committee with voice but no vote.

It was moved — That the motion be amended by replacing the words “First Nations legislation” with the following:

“legislation related to Aboriginal peoples”

It was agreed, — That the debate be now adjourned.

It was moved — That the Committee hold hearings in Westbank, British Columbia, next week.

It was agreed, — That the debate be now adjourned.

At 5:17 p.m., the sitting was suspended.

At 5:22 p.m., the sitting resumed in public.

Pursuant to the Order of Reference of Thursday, February 12, 2004, the Committee commenced consideration of Bill C-11, An Act to give effect to the Westbank First Nation Self-Government Agreement.

The Chair called Clause 1.

The Minister made a statement and, with the other witness, answered questions.

14 p.m., the sitting was suspended.

28 p.m., the sitting resumed.

witnesses made statements and answered questions.

31 p.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

03/12 3:12 p.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 3rd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Guy St-Julien, Lib.

Meeting No. 4

Thursday, March 11, 2004

ORDERS OF THE DAY:

Study of Bill-11, An Act to give effect to the Westbank First Nation Self-Government Agreement

Future business

WITNESS:

Justice Canada:

Bruce Littlejohn, Senior Counsel.



Français

MINUTES OF PROCEEDINGS

Meeting No. 4

Thursday, March 11, 2004

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:24 a.m. this day, in Room 269 West Block, the Chair, Guy St-Julien, presiding.

Members of the Committee present: Larry Bagnell, John Duncan, André Harvey, Nancy Karetak-Lindell, Rick Laliberte, Yvan Loubier, Guy St-Julien, Chuck Strahl, Andrew Telegdi and Maurice Vellacott.

Acting Members present: Pauline Picard for Yvan Loubier, Raymond Simard for Brenda Chamberlain, Diane St-Jacques for Stan Dromisky and Robert Thibault for Lawrence O'Brien.

In attendance: House of Commons: Susan Baldwin, Legislative Clerk. Library of Parliament: Mary Hurley, Analyst; Jean-Luc Bourdages, Analyst.

Witnesses: Department of Indian Affairs and Northern Development : Gilberte Fleischmann, Director, Self-Government Negotiations. Justice Canada: Bruce Littlejohn, Senior Counsel. Land Claims Negotiations: Al Gross, Negotiator.

Pursuant to the Order of Reference of Thursday, February 12, 2004, the Committee resumed consideration of Bill C-11, An Act to give effect to the Westbank First Nation Self-Government Agreement.

On Clause 2,

On motion of Larry Bagnell, it was agreed, — That Bill C-11, in Clause 2, be amended by replacing, in the English version, line 23 on page 1 with the following:

"Westbank lands" and "Westbank law" have

Clause 2, as amended, carried.

Clauses 3 to 13 inclusive carried severally.

Clause 14 carried.

On New Clause 14.1,

On motion of Larry Bagnell, it was agreed, — That Bill C-11 be amended by adding after line 42 on page 3 the following new clause:

14.1 (1) For the purposes of subsection 29(3) of the *Canada Lands Surveys Act*, in relation to Westbank lands, surveys and plans must be satisfactory to the council rather than to the Minister of Indian Affairs

and Northern Development.

(2) Subsection (1) does not apply in relation to boundaries between Westbank lands and other lands.

Clauses 15 to 20 inclusive carried severally.

On Clause 21,

On motion of Larry Bagnell, it was agreed, — That Bill C-11, in Clause 21, be amended by replacing line 18 on page 6 with the following:

21. If Bill C-8, introduced in the 3rd

Clause 21, as amended, carried.

Clause 22 carried.

The Short Title carried.

The Preamble carried.

The Title carried.

The Bill, as amended, carried.

ORDERED, — That the Chair report the Bill ,as amended, to the House.

The question: "That Bill C-11, as amended, be reprinted for the use of the House at report stage" was put and was negatived.

Debate resumed on the motion — That the Committee hold hearings in Westbank, British Columbia, next week.

After debate, the question was put on the motion and it was negatived on the following recorded division: YEAS: Larry Bagnell, John Duncan, Chuck Strahl, Maurice Vellacott — 4; NAYS: André Harvey, Nancy Karetak-Lindell, Rick Laliberte, Yvan Loubier, Pauline Picard, Andrew Telegdi — 6.

At 10:58 a.m., the Committee adjourned to the call of the Chair.

Elizabeth B. Kingston
Clerk of the Committee

2004/03/12 3:14 p.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 3rd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Guy St-Julien, Lib.

Meeting No. 5

Tuesday, March 23, 2004

IN CAMERA



MINUTES OF PROCEEDINGS

g No. 5

ay, March 23, 2004

standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met *in camera* at 9:09
is day, in Room 705 La Promenade Building, the Chair, Guy St-Julien, presiding.

Members of the Committee present: Hon. Larry Bagnell, Serge Cardin, Hon. Brenda Chamberlain, Stan Dromisky, John
n, Hon. André Harvey, Nancy Karetak-Lindell, Rick Laliberte, Yvan Loubier, Pat Martin, Guy St-Julien and Hon.
w Telegdi.

Attendance: Library of Parliament: Jean-Luc Bourdages, Analyst; Mary Hurley, Analyst.

Committee proceeded to the consideration of matters related to Committee business.

Committee resumed consideration of the following motion, — That when First Nations legislation is before the
Committee, the Committee membership may be expanded to include at least one ex-officio representative from First
Nations who would sit on the Committee with voice but no vote.

By unanimous consent, it was agreed, — That the motion be withdrawn and replaced by the following:

That when legislation related to Aboriginal peoples is before the Committee, at least one representative from the
concerned groups be invited to participate in the proceedings of the Committee with permission to participate in debate but
no vote, to propose motions, or to be part of the quorum.

It was agreed, — That the question be now put.

The question was put on the motion and it was agreed to.

It was agreed, — That the motion be sent to concerned groups.

It was agreed, — That the Auditor General be invited to appear on Thursday, March 25, 2004.

It was agreed, — That Nunavut Tunngavik Inc. be invited to appear on Thursday, March 25, 2004.

It was agreed, — That the Chair send a letter to Hon. Jacques Saada, Government Leader at the House of Commons, in
order to prepare and send more information on the list of appointments referred to the Standing Committee on Aboriginal
Affairs, Northern Development and Natural Resources.

At 10 a.m., the Committee adjourned to the call of the Chair.

Jean-Philippe Brochu
Committee Clerk

3/25 2:57 p.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 3rd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Guy St-Julien, Lib.

Meeting No. 6

Thursday, March 25, 2004

ORDER OF THE DAY:

Study of the Report of the Auditor General of Canada, November 2003, Chapters 8, 9, 10

WITNESSES:

Gwich'in Tribal Council:

Deborah Bisson, Director, Lands, Resources and Implementation;

Brian Crane, Barrister and Solicitor, Gowling Lafleur Henderson.

Nunavut Tunngavik Incorporated:

Joanasie Akumalik, Director of Implementation;

John Bainbridge, Senior Policy Advisor.

Office of the Auditor General of Canada:

Jerome Berthelette, Principal;

Sheila Fraser, Auditor General of Canada;

Jeff Greenberg, Principal, Audit Operations Branch.



Français

MINUTES OF PROCEEDINGS

Meeting No. 6

Thursday, March 25, 2004

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 8:35 a.m. this day, in Room 253-D Centre Block, the Chair, Guy St-Julien, presiding.

Members of the Committee present: Hon. Larry Bagnell, Stan Dromisky, John Duncan, Hon. André Harvey, Nancy Karetak-Lindell, Rick Laliberte, Yvan Loubier, Guy St-Julien and Hon. Andrew Telegdi.

Acting Members present: Andy Burton for Maurice Vellacott.

Associate Members present: Bev Desjarlais.

In attendance: Library of Parliament: Mary Hurley, Analyst; Tonina Simeone, Analyst.

Witnesses: Office of the Auditor General of Canada: Sheila Fraser, Auditor General of Canada; Jeff Greenberg, Principal, Audit Operations Branch; Jerome Berthelette, Principal. *Nunavut Tunngavik Incorporated:* John Bainbridge, Senior Policy Advisor; Joanasie Akumalik, Director of Implementation. *Gwich'in Tribal Council:* Deborah Bisson, Director, Lands, Resources and Implementation; Brian A. Crane, Barrister and Solicitor, Gowling Lafleur Henderson.

Pursuant to Standing Order 108(2), the Committee commenced consideration of the Report of the Auditor General of Canada, November 2003, Chapters 8, 9, 10.

Sheila Fraser made a statement and, with the other witnesses, answered questions.

At 9:50 a.m., Nancy Karetak-Lindell took the Chair.

At 10:01 a.m., the sitting was suspended.

At 10:07 a.m., the sitting resumed.

Joanasie Akumalik, Deborah Bisson and Brian Crane made statements and, with the other witness, answered questions.

At 10:37 a.m., Guy St-Julien took the Chair.

It was agreed, — That the Minister of Indian Affairs and Northern Development be invited to appear on Tuesday, March 30, 2004.

At 11:02 a.m., the Committee adjourned to the call of the Chair.

Jean-Philippe Brochu
Clerk of the Committee

2004/03/25 3:21 p.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 3rd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Guy St-Julien, Lib.

Meeting No. 7

Tuesday, March 30, 2004

ORDERS OF THE DAY:

Study of the Main Estimates 2004-2005: Votes 1, 5, 10, 15, L20, L25 and 30 under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

Report by the Chair of Votes 1, 5, 10, 15, L20, L25 and 30—less Interim Supply—under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT to the House of Commons

Study of the failure of the Ministry to respond to written question No. Q-42 on the Order Paper

Study of the Main Estimates 2004-2005: Vote 40 under PRIVY COUNCIL

Report by the Chair of Vote 40—less Interim Supply—under PRIVY COUNCIL to the House of Commons

APPEARING:

Hon. Andy Mitchell, Minister of Indian Affairs and Northern Development

WITNESSES:

Department of Indian Affairs and Northern Development:

Caroline Davis, Assistant Deputy Minister, Corporate Services.

Privy Council Office:

Allan MacDonald, Director, Federal Interlocutor for Métis and Non-Status Indians
Division, Intergovernmental Affairs Secretariat.



MINUTES OF PROCEEDINGS

Meeting No. 7

Tuesday, March 30, 2004

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:03 a.m. this day, in Room 308 West Block, the Chair, Guy St-Julien, presiding.

Members of the Committee present: Hon. Larry Bagnell, Serge Cardin, Hon. Brenda Chamberlain, John Duncan, Hon. André Harvey, Nancy Karetak-Lindell, Rick Laliberte, Pat Martin, Guy St-Julien, Chuck Strahl and Maurice Vellacott.

Acting Members present: Hon. Yvon Charbonneau for Lawrence O'Brien, John O'Reilly for Stan Dromisky, Bernard Patry for Hon. Andrew Telegdi and Karen Redman for Stan Dromisky.

In attendance: Library of Parliament: Mary Hurley, Analyst; Tonina Simeone, Analyst.

Appearing: Hon. Andy Mitchell, Minister of Indian Affairs and Northern Development.

Witnesses: Department of Indian Affairs and Northern Development : Michael Horgan, Deputy Minister; Caroline Davis, Assistant Deputy Minister. *Privy Council Office:* Allan MacDonald, Director, Federal Interlocutor for Métis and Non-Status Indians Division.

Pursuant to Standing Order 81(4), the Committee commenced consideration of the Main Estimates 2004-2005: Votes 1, 5, 10, 15, L20, L25 and 30 under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT referred to the Committee on Tuesday, February 24, 2004.

By unanimous consent, the Chair called Votes 1, 5, 10, 15, L20, L25 and 30 under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT.

The Hon. Andy Mitchell made a statement and, with Caroline E. Davis and Michael Horgan, answered questions.

Vote 1, \$ 537,665,000 less the amount of \$ 448,054,166.67 granted in Interim Supply, under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT carried on division.

Vote 5, \$17,302,000 less the amount of \$ 12,976,500 granted in Interim Supply, under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT carried on division.

Vote 10, \$4,970,145,900 less the amount of \$ 4,141,788,250 granted in Interim Supply, under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT carried on division.

Vote 15, \$ 27,600,000 less the amount of \$ 20,700,000 granted in Interim Supply, under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT carried on division.

Vote L20, \$ 38,103,000 less the amount of \$ 28,577,250 granted in Interim Supply, under INDIAN

AFFAIRS AND NORTHERN DEVELOPMENT carried on division.

Vote L25, \$ 35,500,000 less the amount of \$ 26,625,000 granted in Interim Supply, under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT carried on division.

Vote 30, \$ 899,000 less the amount of \$ 674,250 granted in Interim Supply, under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT carried on division.

ORDERED, — That the Chair report Votes 1, 5, 10, 15, L20, L25 and 30, less Interim Supply, under INDIAN AFFAIRS AND NORTHERN DEVELOPMENT to the House.

By unanimous consent and pursuant to Standing Order 39(5)(b), the Committee commenced consideration of the failure of the Ministry to respond to written question No. Q-42 on the Order Paper referred to the Committee on March 29, 2004 and which read as follows: - Mr. Duncan (Vancouver Island North) - How much money has the government transferred to the Métis Nation of Ontario each fiscal year for the period 1994-2003?

Allan MacDonald made a statement and answered questions.

Debate arose there on

Pursuant to Standing Order 81(4), the Committee commenced consideration of the Main Estimates 2004-2005: vote 40 under PRIVY COUNCIL referred to the Committee on Tuesday, February 24, 2004.

By unanimous consent, the Chair called Vote 40 under PRIVY COUNCIL.

Allan MacDonald made a statement and answered questions.

Vote 40, \$93,575,000 less the amount of \$ 85,777,083.33 granted in Interim Supply, under PRIVY COUNCIL carried on division.

ORDERED, — That the Chair report Vote 40, less Interim Supply, under PRIVY COUNCIL to the House.

It was agreed, — That an invitation be sent to the Government House Leader to appear before the Committee on Thursday, April 1, 2004, to discuss the issue of nominations referred to the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources.

It was agreed, — That the Committee discuss its future business on Thursday, April 1, 2004.

At 10:51 a.m., the Committee adjourned to the call of the Chair.

Jean-Philippe Brochu
Clerk of the Committee

2004/04/06 11:35 a.m.

HOUSE OF COMMONS OF CANADA
37th PARLIAMENT, 3rd SESSION

MINUTES OF PROCEEDINGS

Standing Committee
on

**ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND
NATURAL RESOURCES**

Chair: Guy St-Julien, Lib.

Meeting No. 8

Thursday, April 1, 2004

IN CAMERA

MINUTES OF PROCEEDINGS

Meeting No. 8

Thursday, April 1, 2004

Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met *in camera* at 9:08 a.m. on this day, in Room 308 West Block, the Chair, Guy St-Julien, presiding.

Members of the Committee present: Hon. Larry Bagnell, Serge Cardin, David Chatters, John Duncan, Nancy Karetak-Jell, Rick Laliberte, Yvan Loubier, Pat Martin, Guy St-Julien and Hon. Andrew Telegdi.

Guest Members present: Gérard Binet for Hon. André Harvey.

Attendance: Library of Parliament: Jean-Luc Bourdages, Analyst; Mary Hurley, Analyst; Tonina Simeone, Analyst.

The Committee proceeded to the consideration of matters related to Committee business.

It was agreed, — That the members of the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources ask that their Chair repeat the action taken in previous sessions to divide the committee so that Aboriginal affairs and natural resources become the mandates of two separate standing committees.

It was agreed, — That the Minister of Natural Resources be invited to appear on April 20, 2004, at 9:00 a.m..

It was agreed, — That the Committee examine matters relating to housing and negotiations on self-government, according to the availability of potential witnesses, at the meeting of April 22, 2004.

It was agreed, — That the Committee examine matters relating to oil pipelines, coastal underwater natural resources or wood lumber, according to the availability of potential witnesses, at the meeting of April 27, 2004.

It was agreed, — That the meeting of April 29, 2004, be set aside to study Bill C-31, An Act to give effect to a land claims and self-government agreement among the Tlicho, the Government of the Northwest Territories and the Government of Canada, to make related amendments to the Mackenzie Valley Resource Management Act and to make sequential amendments to other Acts, if it is referred to the Committee.

At 10:25 a.m., the Committee adjourned to the call of the Chair.

Jean-Philippe Brochu
Clerk of the Committee

14/04/05 11:23 a.m.

MINUTES OF PROCEEDINGS

**STANDING COMMITTEE ON ABORIGINAL AFFAIRS,
NORTHERN DEVELOPMENT AND NATURAL RESOURCES**

Chair: Guy St-Julien, Lib.

Meeting No. 9

Tuesday, April 20, 2004

ORDERS OF THE DAY:

Pursuant to Standing Order 108(2), the Committee [commenced / resumed] its study of housing.

Pursuant to Standing Order 108(2), the Committee [commenced / resumed] its study of Self-Government Negotiations.

MEMBERS OF THE COMMITTEE PRESENT:

Stan Dromisky,
Hon. André Harvey,
Nancy Karetak-Lindell,
Rick Laliberte,
Yvan Loubier,
Pat Martin,
Guy St-Julien,
Chuck Strahl,
Hon. Andrew Telegdi
and Maurice Vellacott.

ASSOCIATE MEMBERS PRESENT:

Pauline Picard.

IN ATTENDANCE:

Library of Parliament:
Mary Hurley, Analyst.

WITNESSES:

Department of Indian Affairs and Northern Development :
Michel Roy, Assistant Deputy Minister;
Maureen McPhee, Director General.

Assembly of First Nations:
Phil Fontaine, National Chief;
Lance Haymond, Chief;
Don Jones, Chief.

Department of Indian Affairs and Northern Development :
Joan Atkinson, Assistant Deputy Minister, Socio-Economic Policy
and Programs Sector;
Gilles Rochon, Director General, Infrastructure and Housing.

Nunavut Tunngavik Incorporated:
Paul Kaludjak, President;
Kowesa Etitiq, Policy Analyst.

Phil Fontaine and Lance Haymond made statements and answered questions.

Paul Kaludjak made a statement and, with Kowesa Etitiq, answered questions.

Georges Etoka
Committee Clerk



Français

MINUTES OF PROCEEDINGS

Meeting No. 9

Tuesday, April 20, 2004

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met in a televised session at 9:08 a.m. this day, in Room 253-D Centre Block, the Chair, Guy St-Julien, presiding.

Members of the Committee present: Stan Dromisky, Hon. André Harvey, Nancy Karetak-Lindell, Rick Laliberte, Yvan Loubier, Pat Martin, Guy St-Julien, Chuck Strahl, Hon. Andrew Telegdi and Maurice Vellacott.

Associate Members present: Pauline Picard.

In attendance: Library of Parliament: Mary Hurley, Analyst.

Witnesses: Department of Indian Affairs and Northern Development : Michel Roy, Assistant Deputy Minister; Maureen McPhee, Director General. *Assembly of First Nations:* Phil Fontaine, National Chief; Lance Haymond, Chief; Don Jones, Chief. *Department of Indian Affairs and Northern Development :* Joan Atkinson, Assistant Deputy Minister, Socio-Economic Policy and Programs Sector; Gilles Rochon, Director General, Infrastructure and Housing. *Nunavut Tunngavik Incorporated:* Paul Kaludjak, President; Kowesa Etitiq, Policy Analyst.

Pursuant to Standing Order 108(2), the Committee commenced its study of housing.

Michel Roy made a statement and, with Maureen McPhee, answered questions.

At 9:45 a.m., the sitting was suspended.

At 9:48 a.m., the sitting resumed.

Pursuant to Standing Order 108(2), the Committee commenced its study of Self-Government Negotiations.

Phil Fontaine and Lance Haymond made statements and answered questions.

Paul Kaludjak made a statement and, with Kowesa Etitiq, answered questions.

Joan Atkinson made a statement and answered questions.

At 11:57 a.m., the Committee adjourned to the call of the Chair.

Georges Etoka

Committee Clerk

2004/04/21 9:55 a.m.

MINUTES OF PROCEEDINGS

STANDING COMMITTEE ON ABORIGINAL AFFAIRS, NORTHERN DEVELOPMENT AND NATURAL RESOURCES

Chair: Guy St-Julien, Lib.

Meeting No. 10

Thursday, April 22, 2004

ORDERS OF THE DAY:

Pursuant to Standing Order 108(2), the Committee [commenced / resumed] its study of Seabed Mapping.

Pursuant to Standing Order 108(2), the Committee [commenced / resumed] its study of the Northern Gas Pipeline.

MEMBERS OF THE COMMITTEE PRESENT:

Hon. Larry Bagnell,
Serge Cardin,
David Chatters,
Hon. André Harvey,
Nancy Karetak-Lindell,
Chuck Strahl
and Hon. Andrew Telegdi.

IN ATTENDANCE:

Library of Parliament:
Jean-Luc Bourdages, Analyst.

WITNESSES:

Department of Indian Affairs and Northern Development :
Liseanne Forand, Assistant Deputy Minister, Northern Affairs;

Mimi Fortier, Director, Northern Oil and Gas.

Department of Fisheries and Oceans:

Roderick Forbes, Acting Director, Horizontal Policy;
Denis Hains, Acting Director General, Canadian Hydrographic
Service;

David Monahan, Director, Ocean Mapping, Canadian
Hydrographic Service.

Marc-Olivier Girard
Committee Clerk



MINUTES OF PROCEEDINGS

Meeting No. 10

Thursday, April 22, 2004

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 9:06 a.m. this day, in Room 705 La Promenade Building, the Vice-Chair, Nancy Karetak-Lindell, presiding.

Members of the Committee present: Hon. Larry Bagnell, Serge Cardin, David Chatters, Hon. André Harvey, Nancy Karetak-Lindell, Chuck Strahl and Hon. Andrew Telegdi.

In attendance: Library of Parliament: Jean-Luc Bourdages, Analyst.

Witnesses: Department of Indian Affairs and Northern Development : Liseanne Forand, Assistant Deputy Minister, Northern Affairs; Mimi Fortier, Director, Northern Oil and Gas. *Department of Fisheries and Oceans:* Roderick Forbes, Acting Director, Horizontal Policy; Denis Hains, Acting Director General, Canadian Hydrographic Service; David Monahan, Director, Ocean Mapping, Canadian Hydrographic Service.

Pursuant to Standing Order 108(2), the Committee commenced its study of Seabed Mapping.

Roderick Forbes and Denis Hains made statements and, with David Monahan, answered questions.

At 10:03 a.m., the sitting was suspended.

At 10:06 a.m., the sitting resumed.

Pursuant to Standing Order 108(2), the Committee commenced its study of the Northern Gas Pipeline.

Liseanne Forand made a statement and, with Mimi Fortier, answered questions.

At 10:57 a.m., the Committee adjourned to the call of the Chair.

Marc-Olivier Girard
Committee Clerk

2004/04/23 10:14 a.m.

MINUTES OF PROCEEDINGS

**STANDING COMMITTEE ON ABORIGINAL AFFAIRS,
NORTHERN DEVELOPMENT AND NATURAL RESOURCES**

Chair: Guy St-Julien, Lib.

Meeting No. 11

Tuesday, April 27, 2004

ORDER OF THE DAY:

Pursuant to Standing Order 81(4), the Committee resumed consideration of the Main Estimates 2004-2005: votes 1, 5, 10, 15, 20, 25, 30 and 35 under NATURAL RESOURCES referred to the Committee on Tuesday, February 24, 2004.

MEMBERS OF THE COMMITTEE PRESENT:

Hon. Larry Bagnell,
Serge Cardin,
David Chatters,
Nancy Karetak-Lindell,
Rick Laliberte
and Hon. Andrew Telegdi.

ACTING MEMBERS PRESENT:

Raymond Bonin for Hon. Brenda Chamberlain,
and Ovid Jackson for Lawrence O'Brien.

IN ATTENDANCE:

Library of Parliament:
Jean-Luc Bourdages, Analyst.

APPEARING:

Hon. R. John Efford, Minister of Natural Resources.

WITNESSES:

Department of Natural Resources:

George R. M. Anderson, Deputy Minister;
Richard Tobin, Acting Assistant Deputy Minister, Corporate
Services Sector;
Irwin Itzkovitch, Assistant Deputy Minister, Earth Sciences Sector;
Bryan Cook, Director General, CANMET Energy Technology
Centre, Energy Technology and Programs Sector;
David Oulton, Acting Assistant Deputy Minister, Energy
Technology and Programs Sector;
André Plourde, Associate Deputy Minister, Energy Policy Sector.

Canadian Nuclear Safety Commission:

Ken Pereira, Vice President, Operations Branch.

Marc-Olivier Girard
Committee Clerk



Français

MINUTES OF PROCEEDINGS

Meeting No. 11

Tuesday, April 27, 2004

The Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources met at 8:33 a.m. this day, in Room 308 West Block, the Vice-Chair, Nancy Karetak-Lindell, presiding.

Members of the Committee present: Hon. Larry Bagnell, Serge Cardin, David Chatters, Nancy Karetak-Lindell, Rick Laliberte and Hon. Andrew Telegdi.

Acting Members present: Raymond Bonin for Hon. Brenda Chamberlain and Ovid Jackson for Lawrence O'Brien.

In attendance: Library of Parliament: Jean-Luc Bourdages, Analyst.

Appearing: Hon. R. John Efford, Minister of Natural Resources.

Witnesses: Department of Natural Resources: George R. M. Anderson, Deputy Minister; Richard Tobin, Acting Assistant Deputy Minister, Corporate Services Sector; Irwin Itzkovitch, Assistant Deputy Minister, Earth Sciences Sector; Bryan Cook, Director General, CANMET Energy Technology Center, Energy Technology and Programs Sector; David Oulton, Acting Assistant Deputy Minister, Energy Technology and Programs Sector; André Plourde, Associate Deputy Minister, Energy Policy Sector.
Canadian Nuclear Safety Commission: Ken Pereira, Vice President, Operations Branch.

Pursuant to Standing Order 81(4), the Committee resumed consideration of the Main Estimates 2004-2005: votes 1, 5, 10, 15, 20, 25, 30 and 35 under NATURAL RESOURCES referred to the Committee on Tuesday, February 24, 2004.

By unanimous consent, the Chair calls Votes 1, 5, 10, 15, 20, 25, 30, 35 under NATURAL RESOURCES.

The Minister made a statement and, with the other witnesses, answered questions.

At 11:00 a.m., the Committee adjourned to the call of the Chair.

Marc-Olivier Girard
Committee Clerk

2004/04/27 3:10 p.m.

